

# Public Document Pack



## STRATEGIC AND TECHNICAL PLANNING COMMITTEE

### MINUTES OF MEETING HELD ON MONDAY 21 NOVEMBER 2022

**Present:** Cllrs Robin Cook (Chairman), John Worth (Vice-Chairman), Shane Bartlett, Dave Bolwell, Alex Brenton, Kelvin Clayton, Jean Dunseith, Mike Dyer, Sherry Jespersen and Belinda Ridout

**Apologies:** Cllrs Mary Penfold and David Tooke

**Also present:** Cllr David Walsh

**Officers present (for all or part of the meeting):**

Ann Collins (Area Manager – Western and Southern Team), Philip Crowther (Legal Business Partner - Regulatory), Mike Garrity (Head of Planning), Elaine Tibble (Senior Democratic Services Officer), Trevor Badley (Lead Project Officer (Minerals & Waste)), Penny Canning (Lead Project Officer) and Suzie Coyne (Planning Consultant)

**63. Minutes**

The minutes of the meeting held on 4 November 2022 were confirmed and signed.

**64. Declarations of Interest**

No declarations of disclosable pecuniary interests were made at the meeting.

**65. Application No: 6/2020/0321 - Swanworth Quarry, Kingston Lane, Worth Matravers, Swanage BH19 3LE**

The Planning Consultant presented the report for the winning and working of limestone through the lateral extension to Swanworth Quarry, retention of processing plant and existing infrastructure, importation of inert waste material for restoration purposes, and continued production and sale of recycled aggregates.

The site was allocated in the Bournemouth, Christchurch, Poole and Dorset Mineral Sites Plan 2019 for the supply of crushed rock.

The slide presentation showed views from the Purbeck Way and a photo montage of how the proposed new bridge would look once constructed. The committee were given details of the phasing of the restoration of the site and where the restoration materials would be stored. Due to the delay in restoration mitigation proposals were in place to support the ecological network which over time would also provide a biodiversity net gain.

The final restoration proposals involved reinstatement of the site to original levels to conserve the strong landscape and historic character of the area and would be managed for a 30 year period.

The application was recommended for approval subject to conditions and the completion of a Section 106 agreement.

Oral representation was received from Mr Martin Rowell in objection to the application, his concerns focussed on the affect on the AONB and local residents together with the impact of increased traffic movements.

Oral representation was received from Ms Lauren Davis, Mr John Suttle and Cllr Cherry Brooks, Ward Member, in support of the application.

The Planning Consultant was given the opportunity to respond to the speakers' comments and the Committee members were invited to put forward any questions for clarification.

Cllr Brenton proposed a site visit as she felt it was difficult to picture the topography from the presentation slides.

The Head of Planning re-emphasised that the Planning Inspector had agreed the need for crushed rock in the location was substantial and that principle had become part of the Local Plan, which in turn had been through the test process and approved. In response to member questions and to the proposal for a site visit he reminded the Committee that the allocation of the site in the Local Plan had been made on the basis of the landscape impacts being mitigated and compensation had been allocated for this. Members would need to be very clear on the scope they wanted to look at if they went on a site visit.

At this stage there was a short adjournment while the Planning Officers uploaded some additional images from the landscape visual assessment, after which Cllr Brenton withdrew her proposal for a site visit.

In response to a question relating to the water table, the Head of Planning advised that this was a matter for the Environment Agency to monitor, however members requested an informative note added to ensure the water was checked and not contaminated.

Taking into account the site was allocated in the Local Plan, the benefits of the extension and the robust environmental mitigation proposals the members were supportive of the recommendation.

Proposed by Cllr Bolwell, seconded by Cllr Ridout.

**Decision: that the application was granted subject to the conditions outlined in the appendix to these minutes and the completion of a Section 106 agreement and an informative note to check water supplies,**

**and**

**Refuse planning permission if the agreement is not completed by 21 April 2023 or such extended time as agreed by the Head of Planning.**

**11:50 comfort break to 12:00**

**At this juncture Cllr Dunseith left the meeting.**

**66. Application No: P/FUL/2022/02429 - Land at Galton Manor Farm Dorset DT2 8BZ**

The Lead Project Officer presented the application for the Installation of ground mounted photovoltaic solar farm & associated landscaping, hydrological & biodiversity enhancements.

The project was to cover a 40 year period and would produce a 30 megawatt solar farm.

Slides and aerial views highlighted the access route, the proximity of the application site to the surrounding area and other solar farms in the locality.

The area to the south of the application site was an AONB with key rights of way, with the aid of an ariel view the historic aspects of the environment and the wildlife sites were pointed out.

The site layout would be made up of 5 blocks of panels and the Lead Project Officer indicated the locations of the invertors and substation. 2.4m deer fencing was proposed with gaps to accommodate any badgers.

Members attention was also drawn to a proposed wetland area and pond detail, and the submitted Landscape Strategy.

Members were provided with photos looking towards the site from nearby footpaths and roads. Indicative slides portrayed the predicted future views of the solar farm, in combination with the approved North Fossil Farm application, from the Chaldon Ridge bridleway in one, ten and twenty years' time, having regard to both summer and winter views.

Members were advised that the photomontages provided, although useful, were simply an artist's impression based upon predicted growth rates and that concern had been raised by the AONB Team that they represented an overly optimistic prediction. Members were therefore advised to view the photomontages with this understanding.

The main planning issues were highlighted, with particular reference to the individual and cumulative harm to the AONB, the biodiversity benefits and the green energy benefits. The proposed mitigation measures and details of an agreed compensation package were discussed. Consideration of the impact on historic features, amongst other material planning considerations was also highlighted, and the recommendation was to grant subject to conditions and the amendment to condition 6 (P.161)

Oral representation in support of the application was received from Ms Fiona Bowles, Mr Hugo House and Cllr Nick Ireland, Ward Member.

Members were invited to ask technical questions prior to debating the application.

In response to a question regarding security and vandal proofing the site, members were advised that the site was very rural and there was some security fencing proposed, however an informative note regarding fencing could be added to the conditions if required.

There would be some cumulative impact to the area, but the benefits were considered to outweigh the harm.

Proposed by Cllr Clayton, seconded by Cllr Bolwell.

**Decision on Recommendation A:** that Authority be delegated to the Head of Planning or Service Manager for Development Management and Enforcement to grant planning permission subject to the conditions outlined in the appendix to these minutes, including the update to condition 6, completion of a satisfactory planning obligation (legal agreement) and an informative regarding fencing of the transformers and substation:

and

**Decision on Recommendation B:** REFUSE permission for the reason set out below if the planning obligation (legal agreement) is not completed by 6 months from the date of committee, or such extended time as agreed by the Head of Planning or Service Manager for Development Management and Enforcement:

67. **Urgent items**

No urgent items

68. **Exempt Business**

No exempt business

69. **Appeals Report for Information Only**

**Appendices - Decision Sheets**

**Duration of meeting:** 10.00 am - 12.55 pm

**Chairman**

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## Strategic and Technical Planning Committee 21 November 2022 Decision List Swanworth Quarry

**Application Reference:** 6/2020/0321

**Application Site** Swanworth Quarry, Kingston Lane, Worth Matravers, Swanage BH19 3LE

**Proposal:** The winning and working of limestone through the lateral extension to Swanworth Quarry, retention of processing plant and existing infrastructure, importation of inert waste material for restoration purposes, and continued production and sale of recycled aggregates.

**Recommendation:** GRANT of planning permission 6/2020/0321 subject to conditions and completion of a Section 106 agreement.

**Decision: Granted** with the conditions below, subject to the completion first of a Section 106 agreement to secure the following obligations:

- The development of 12.29 hectares of land adjoining the existing quarry for the creation of new and enhancement of existing habitats;
- Long term (30 year) management of all restored and proposed newly created habitat areas including the existing quarry;
- New footpaths to be created within the existing quarry to be made available for access by the public for at least the same period of long-term management as the finally restored quarry site.
- A financial contribution to fund compensatory environmental enhancement measures of:
  - ☞ an initial payment of £150,000 upon implementation of the development;
  - ☞ an annual payment of £7,000 index linked for the duration of the development.
  - ☞ with a board established to consider applications for funding for projects aimed at providing environmental enhancement measures from the contribution and to make recommendations to the Council.

### Conditions

#### Commencement of Development

1. The development hereby permitted shall be begun before the expiration of three years from 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)

#### Approved Plans and Details

2. The development shall not be carried out other than in accordance with the following plans and drawings:
  - Site Location Plan Drawing no.: 2620-4-4-4/LV-0001/S5-P2
  - Application Area Plan Drawing no.: 200407dwg01a
  - Expected Main Quarry Topography Before Extension Drawing no.: 191128-00144-1
  - Swanworth Bridge Construction Drawings nos 1923-PWD-DRG-005-01 to 07

- Bund Cross Sections Drawing no.: 2620-4-5-1/AP-0008/S4-P3
- Revised Initial Development Plan Drawing no.: 210804-10A
- Initial Development Removal of Mineral Drawing no.: 191128-00144-3
- Phase 1 Removal of Overburden Drawing no.: 191128-00144-4
- Phase 1 Removal of Mineral Drawing no.: 191128-00144-5
- Phase 2 Removal of Overburden Drawing no.: 191128-00144-6
- Phase 2 Removal of Mineral Drawing no.: 191128-00144-7
- Phase 3 Removal of Overburden Drawing no.: 191128-00144-8
- Phase 3 Removal of Mineral Drawing no.: 191128-00144-9
- Restoration Landform Drawing no.: 200319-00144-10
- Delayed Restoration Habitats Drawing no.: 2620-4-5-2/DR-0001/S4-P1
- Potential Additional Habitat Areas Drawing no.: 2620-4-5-2/DR-0003/S4-P3
- Habitat Areas Drawing no.: 2620-4-5-2/DR-0008/S4-P2
- Permitted & Proposed Recycling Area Drawing no.: 2620-4-1-4/DR-0001/S4-P2
- Composite Restoration and Habitats Plan Drawing no.: 2620-4-5-3/DR-0007/S4-P4

and details and schemes hereby approved under the requirements of the following conditions.

Reason: To ensure that the development is carried out as proposed and in accordance with Policy MS-3 of the Bournemouth, Christchurch, Poole and Dorset Mineral Sites Plan.

#### Protection of Local Water Supplies

3. The development hereby permitted shall not be implemented unless the abstraction licence variation for the Encombe water supply, comprising the removal of the three spring sources in Hill Bottom (Licence 13/44/003/S/012 Springs 1-3) from potable water supply, has been granted by the Environment Agency. The Mineral Planning Authority shall be provided with a copy of the licence variation within seven days of it being granted.

Reason: To safeguard the potable water supply to the local community served by the Encombe source and comply with Bournemouth, Christchurch, Poole and Dorset Waste Plan Policy 16.

#### Landscape and Ecological Management Plan

4. Prior to commencement of the development a Landscape and Ecological Management Plan (LEMP) in line with the standards set out in BS 42020:2013 Biodiversity – Code of Practice for Planning and Development shall be submitted to and agreed in writing by the Mineral Planning Authority. The LEMP shall provide details of the management of all existing and proposed planting and habitat areas at the application site and on adjoining land in the ownership of the applicant as shown on Composite Restoration and Habitats Plan Drawing no.: 2620-4-5-3/DR-0007/S4-P4 during the operational phase and at restoration of the development. The permitted development shall not be carried out other than in accordance with the approved LEMP.

Reason: To ensure appropriate management of the site for biodiversity value and in the interests of landscape character in accordance with Bournemouth, Dorset and Poole Minerals Strategy Policies RS1, DM1, DM4 and DM5 and Bournemouth, Christchurch, Poole and Dorset Waste Plan Policies 14, 18 and 23.

#### Archaeological Investigation

5. Prior to commencement of any stripping of soils a programme of archaeological excavation work shall be carried out in accordance with a Written Scheme of Investigation (WSI) that has first been submitted to and approved in writing by the Mineral Planning Authority. The WSI shall also include the details of an archaeological watching brief to be undertaken during stripping of soils in the area to the north of the northern dry-stone wall as shown in drawing no.: 210804-10A Revised Initial Development Plan. The findings of the excavation work shall

be reported to the Mineral Planning Authority and provided for publication in accordance with the details and timetable agreed in the WSI.

Reason: To ensure the proper recording and evaluation of archaeological interest in accordance with Bournemouth, Dorset and Poole Minerals Strategy Policy DM7 and Bournemouth, Christchurch, Poole and Dorset Waste Plan Policy 19.

#### Notification of Implementation of the Development

6. The bridge crossing of the Purbeck Way public footpath shall be completed before any other development begins and written notification of the date on which the development is implemented and on which the bridge is completed shall be sent to the Mineral Planning Authority within 7 seven days of such implementation.

Reason: Further to the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

#### Duration of Development

7. All winning and working of minerals shall cease by 31 December 2044 and all processing plant, structures and buildings shall have been removed and restoration of the site completed in accordance with drawing no.: 2620-4-5-3/DR-0007/S4-P4 Composite Restoration and Habitats Plan by 31 December 2051.

Reason: To limit the duration of disturbance associated with the operation of the development and that the land is reinstated in a timely manner in the interests of landscape character and local amenity in accordance with Bournemouth, Dorset and Poole Minerals Strategy Policies RE1, RS1, RS2, DM1, DM2 and DM4 and Bournemouth, Christchurch, Poole and Dorset Waste Plan Policies 13, 14 and 23.

#### Site Access

8. The vehicular access of the site to and from the public highway shall not be other than the "Quarry entrance" from Kingston Lane as shown on drawing no.: 200407dwg01a Application Area Plan.

Reason: In the interests of highway safety in accordance with Bournemouth, Dorset and Poole Minerals Strategy Policy DM8 and Bournemouth, Christchurch, Poole and Dorset Waste Plan Policy 12.

#### Soil Handling

9. Topsoil, subsoil and overburden shall be stripped and stored separately and not stored other than as shown on drawing no.: 210804-10A and drawing nos.: 191128-00144-3 to 9. Soils shall only be handled when dry and friable and then with the minimum of working and compaction.

Reason: To maintain soil quality and in the interests of the proper restoration of the site having regard to Bournemouth, Dorset and Poole Minerals Strategy Policies RS1 and DM1 and Bournemouth, Christchurch, Poole and Dorset Waste Plan Policies 16 and 23.

#### Retention and Use of Soils and Overburden

10. No soils or overburden shall be sold or otherwise removed from the site and all soils and overburden shall be used in restoration of the site.

Reason: To ensure adequate and suitable materials for restoration of the site in the interests of landscape character in accordance with Bournemouth, Dorset and Poole Minerals Strategy Policies RS1, DM1, DM2 and DM4 and Bournemouth, Christchurch, Poole and Dorset Waste Plan Policies 14,16 and 23.

11. All screening bunds and stockpiles of topsoil shall be seeded in the first available planting season following their construction, mown or strimmed during the summer months, and maintained weed-free.

Reason: To maintain soil quality and in the interests of landscape character and local amenity in accordance with Bournemouth, Dorset and Poole Minerals Strategy Policies DM1, DM2 and DM4 and Bournemouth, Christchurch, Poole and Dorset Waste Plan Policies 13, 14 and 16.

#### Archaeological Watching Brief

12. Stripping of soils in the area to the norther of the northern dry-stone wall as shown on drawing no.: 210804-10A Revised Initial Development Plan shall only take place in accordance with details of the archaeological watching brief within the WSI approved under condition 5. The findings of the watching brief shall be reported to the Mineral Planning Authority and provided for publication in accordance with the details and a timetable agreed in the WSI.

Reason: To ensure the proper recording and evaluation of archaeological interest in accordance with Bournemouth, Dorset and Poole Minerals Strategy Policy DM7, and Bournemouth, Christchurch, Poole and Dorset Waste Plan Policy 19.

#### Survey of Restoration Materials

13. Prior to commencement of soil stripping in each of phases 2 and 3 as identified on drawing nos.: 191128-00144-5 to 9, a survey of the progress of restoration of each of the previous phases and of the volume of stockpiled backfill and restoration materials shall be carried out. The results of the survey shall be compared to the anticipated rate of progress as shown on drawing nos.: 191128-00144-5 to 9, and the outcome provided in writing to the Mineral Planning Authority.

Reason: To enable assessment of whether adequate infill material for reinstatement to original levels of the new mineral working area are available in the interests of landscape character and cultural heritage in accordance with Bournemouth, Dorset and Poole Minerals Strategy Policies RS1, DM1, DM2, DM4 and DM7, and Bournemouth, Christchurch, Poole and Dorset Waste Plan Policies 13, 14, 19 and 23.

#### Depth of Mineral Extraction

14. The maximum depths in the extension area shall not be other than identified on drawing nos.: 191128-00144-3 to 9, unless the results of the survey required by condition 13 show that there is a shortfall in the imported backfill materials of a quantity equivalent to more than 150,000 cubic metres. In such a case the Mineral Planning Authority will specify alternative new (reduced) maximum permitted depth(s) of extraction within phases 2 and 3 and thereafter the new permitted depths shall not be exceeded.

Reason: To ensure that the mineral working can be reinstated and restored to original levels in the interests of landscape character and cultural heritage in accordance with Bournemouth, Dorset and Poole Minerals Strategy Policies RS1, DM1, DM2, DM4 and DM7 and Bournemouth, Christchurch, Poole and Dorset Waste Plan Policies 13, 14, 19 and 23.

#### Hours of Operation

15. The hours of operation shall not be other than as follows.
  - a. For processing and HGVs entering or leaving the quarry:
    - ☞ 06:30 to 18:00 Monday to Friday
    - ☞ 06:30 to 16:00 Saturday
  - b. For stone extraction, aggregate recycling, and infilling operations:
    - ☞ 07:00 to 18:00 Monday to Friday
    - ☞ 07:00 to 16:00 Saturday
  - c. For maintenance work:

06:00 to 19:00 Monday to Saturday  
06:00 to 12:00 Sunday

No drilling, blasting, and soil or overburden removal operations shall take place on Saturdays and no operations whatsoever (except for maintenance work on Sundays) shall take place on Sundays and Public Holidays.

Reason: To protect the amenities of local residents and the area in accordance with Bournemouth, Dorset and Poole Minerals Strategy Policies DM1, DM2 and DM4 and Bournemouth, Christchurch, Poole and Dorset Waste Plan Policies 13 and 14.

#### Aggregate Recycling Area

16. Aggregate recycling operations shall not take place other than within the area shown by a light blue dotted line on drawing no.: 2620-4-1-4/DR-0001/S4-P2.

Reason: In the interests of local amenity, the restoration proposals for the existing quarry, and landscape character in accordance with Bournemouth, Dorset and Poole Minerals Strategy Policies RS1, DM1, DM2 and DM4 and Bournemouth, Christchurch, Poole and Dorset Waste Plan Policies 13, 14 and 23.

#### Material Imported for Aggregate Recycling

17. Only clean, inert material shall be imported for the purposes of aggregate recycling at the site.

Reason: In the interests of the local environment in accordance with Bournemouth, Dorset and Poole Minerals Strategy 2014 Policies DM1, DM2 and DM3 and Bournemouth, Christchurch, Poole and Dorset Waste Plan Policies 13 and 16.

#### Limitation on Aggregate Recycling

18. No more than 30,000 tonnes of recyclable waste material for the purposes of recycled aggregate production shall be imported to the site in any calendar year.

Reason: To limit the scale of activity in the interests of landscape character and the local area in accordance with Bournemouth, Dorset and Poole Minerals Strategy Policies DM1, DM2, DM4 and DM8 and Bournemouth, Christchurch, Poole and Dorset Waste Plan Policies 12, 13 and 14.

#### HGV Movements

19. HGV vehicular movements to and from the site shall not exceed 96 HGV movements (48 in and 48 out) per day.

Reason: In the interests of the amenity of residents and villages on the local road network and in accordance with Bournemouth, Dorset and Poole Minerals Strategy Policies DM1, DM2 and DM8 and Bournemouth, Christchurch Poole and Dorset Waste Plan Policies 12 and 13.

#### Noise – Noisy Short Term Activities

20. Noise levels from temporary site operations including overburden removal, soil stripping, formation of bunds and re-spreading of soil materials in restoration, that shall not take place for longer than eight weeks in any calendar year, shall not exceed 70 dB LAeq 1 h when measured free field at the following buildings:

- Kingston Barns
- Afflington Lookout Barn
- Forester's Lodge, Kingston.

Reason: To protect the amenities of nearby residents and the local area in accordance with Bournemouth, Dorset and Poole Minerals Strategy Policies DM1, DM2 and DM4 and Bournemouth, Christchurch Poole and Dorset Waste Plan Policies 13 and 14.

### Noise – Site Operations with Rock Drill

21. Noise levels from site operations when the rock drill is in use shall not take place for more than 20 days in any calendar year and shall not exceed 55 dB LAeq 1 hour when measured free field at the following buildings:

- Kingston Barns
- Afflington Lookout Barn
- Forester's Lodge, Kingston.

Reason: To protect the amenities of nearby residents and the local area in accordance with Bournemouth, Dorset and Poole Minerals Strategy Policies DM1, DM2 and DM4 and Bournemouth, Christchurch Poole and Dorset Waste Plan Policies 13 and 14.

### Noise – Routine Site Operations

22. Noise levels from all other site operations (excluding short term activities and use of the rock drill) shall not exceed 45 dB LAeq 1 hour when measured free field at the following buildings:

- Kingston Barns
- Afflington Lookout Barn
- Forester's Lodge, Kingston.

Reason: To protect the amenities of nearby residents and the local area in accordance with Bournemouth, Dorset and Poole Minerals Strategy Policies DM1, DM2 and DM4 and Bournemouth, Christchurch, Poole and Dorset Waste Plan Policies 13 and 14.

### Blasting

23. Blasting operations shall not be undertaken other than between the hours of 12:00 - 16:00 Monday to Friday and in accordance with the measures as set out in the document entitled "Minimising air-overpressure by good blasting techniques" as submitted with the planning application, and shall not result in a vibration level (measured as peak particle velocity) in excess of  $6\text{mms}^{-1}$  at a 95% confidence level at the boundary of Kingston Barns, Afflington Lookout Barn, or Forester's Lodge, Kingston.

Reason: To protect the amenities of nearby residents and the local area in accordance with Bournemouth, Dorset and Poole Minerals Strategy Policies DM1, DM2 and DM4 and Bournemouth, Christchurch, Poole and Dorset Waste Plan Policies 13 and 14.

### Dust Control

24. The dust control measures set out at Appendix 3 of the Air Quality Assessment reference: R19.10378/3/AG submitted with the planning application shall be employed at all times at the site.

Reason: In the interests of the local environment and amenity in accordance with Bournemouth, Dorset and Poole Minerals Strategy Policies DM1 and DM2 and Bournemouth, Christchurch Poole and Dorset Waste Plan Policy 13.

### Wheel Cleaning

25. Wheel cleaning facilities shall be provided at the site and employed at all times to ensure that no lorry shall leave the site unless its wheels and chassis have been sufficiently cleaned to prevent mud or debris being deposited on the public highway.

Reason: In the interests of highway safety and local amenity in accordance with Bournemouth, Dorset and Poole Minerals Strategy Policies DM1, DM2 and DM8 and Bournemouth, Christchurch Poole and Dorset Waste Plan Policies 12 and 13.

### Sheeting of Lorries

26. No lorry carrying material of less than 500mm in dimension shall leave the site unless securely sheeted and/or covered to ensure that material does not spill on to the public highway.

Reason: In the interests of highway safety and local amenity in accordance with Bournemouth, Dorset and Poole Minerals Strategy Policies DM1, DM2 and DM8 and Bournemouth, Christchurch Poole and Dorset Waste Plan Policies 12 and 13.

### Limitation on Processing and Importation of Stone

27. Plant and machinery shall not be used other than to process, treat or otherwise refine mineral extracted from the site or waste materials imported to the site, and no stone shall be imported for re-sale.

Reason: The permission is exceptionally granted to meet particular local needs, and other uses may have consequences for this sensitive location that have not been taken into account in consideration of Bournemouth, Dorset and Poole Minerals Strategy Policies DM1, DM2, DM4 and DM8 Bournemouth, Christchurch Poole and Dorset Waste Plan Policies 12, 13 and 14.

### Buildings – Removal of Permitted Development Rights

28. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, or any order revoking and re-enacting that Order with or without modification, no buildings shall be erected or extended at the site.

Reason: In the interests of landscape character and local amenity in accordance with Bournemouth, Dorset and Poole Minerals Strategy Policies DM1, DM2 and DM4 and Bournemouth, Christchurch, Poole and Dorset Waste Plan Policies 13 and 14.

### Fixed Plant and Machinery – Restriction on Location

29. Fixed plant or fixed machinery installed, or placed at the site, in accordance with the provisions of the Town and Country Planning (General Permitted Development) Order 2015, or any order revoking and re-enacting that Order with or without modification, shall not be other than within the area shown by a light blue dotted line on drawing no.: 2620-4-1-4/DR-0001/S4-P2.

Reason: In the interests of landscape character and local amenity in accordance with Bournemouth, Dorset and Poole Minerals Strategy Policies DM1, DM2 and DM4 and Bournemouth, Christchurch, Poole and Dorset Waste Plan Policies 13 and 14.

### Bunding of Tanks

30. All oil and fuel stores shall have secondary containment or bunding that is impervious to oil and water and sufficient to contain 110% of the content by volume of the tanks and any associated pipework in the event of a spillage.

Reason: To prevent pollution of the water environment in accordance with Bournemouth, Dorset and Poole Minerals Strategy Policies DM1 and DM3 and Bournemouth, Christchurch, Poole and Dorset Waste Plan Policy 16.

### Storage of Materials

31. No scrap or redundant plant, machinery or vehicles shall be kept at the site.

Reason: In the interests of landscape character and local amenity in accordance with Bournemouth, Dorset and Poole Minerals Strategy Policies DM1, DM2 and DM4 and Bournemouth, Christchurch, Poole and Dorset Waste Plan Policies 13 and 14.

### Aftercare

32. Aftercare of the application site for nature conservation/amenity purposes shall take place for a period of 5 years in accordance with the management measures provided in the LEMP approved under condition 4 following final restoration of each phase or area of the site.

Reason: To ensure that restoration of the site is sustained in the interests of biodiversity, landscape character, cultural heritage, and amenity value in accordance with Bournemouth, Dorset and Poole Minerals Strategy Policies RS1, DM1, DM2, DM4, DM5 and DM7 and Bournemouth, Christchurch, Poole and Dorset Waste Plan Policies 13, 14, 18, 19 and 23.

### **Informative Note**

#### Environmental Permit

The proposed deposit of inert waste materials on land for the purpose of restoring the quarry will require an environment permit under the Environmental Permitting (England and Wales) Regulations 2016. An environmental permit application will need to be made to the Environment Agency and the grant of planning permission does not automatically indicate that a permit will be granted.

Proposals for the implementation of a surface and ground water monitoring programme, inclusive of mitigation measures, will be required to support an environmental permit application and to be adhered to during infilling operations, to ensure that the deposit of materials would not cause deterioration in local water quality and/or quantity.

#### **Footnote:**

Issues relating to financial, legal, environmental, economic, and equalities implications have been considered and any information relevant to the decision is included within the report.

# Strategic and Technical Planning Committee

## 21 November 2022

### Decision List Galton Manor Farm

**Application Reference:** P/FUL/2022/02429

**Application Site** Land at Galton Manor Farm Dorset DT2 8BZ

**Proposal:** Installation of ground mounted photovoltaic solar farm & associated landscaping, hydrological & biodiversity enhancements

**Recommendation A:**

Delegate authority to grant to the Head of Planning or Service Manager for Development Management and Enforcement subject to conditions and the completion of a satisfactory planning obligation (legal agreement) to secure the following:

- Financial contribution of £10,437 per annum over a 40 year period in the form of a Landscape Enhancement Fund to cover the lifetime of the development (totalling £417,485), used to support initiatives in the locality of the development to:
  - Strengthen the character of the AONB through landscape conservation, enhancement and management.
  - Enhance biodiversity by the conservation, enhancement and management of boundary features, woodlands and rural lanes.
  - Improve rights of way and / or facilities for non-car access.

And

**Recommendation B:** REFUSE permission for the reason set out below if the planning obligation (legal agreement) is not completed by 6 months from the date of committee, or such extended time as agreed by the Head of Planning or Service Manager for Development Management and Enforcement:

In the absence of a mechanism to secure a Landscape Enhancement Fund, the impacts of the development, by reason of its appearance, scale and positioning, would have a detrimental impact upon the character, landscape and special qualities of the Dorset Area of Outstanding Natural Beauty (AONB), its setting and views from public rights of way within the AONB contrary to policies ENV1 and ENV10 of the West Dorset, Weymouth and Portland Local Plan (2015), the National Planning Policy Framework (2021) and Policy C1.A of the Dorset AONB Management Plan 2019 – 2024, such that the benefits of the scheme would not outweigh the harm caused to the AONB.

**Decision on Recommendation A:** Authority delegated to grant to the Head of Planning or Service Manager for Development Management and Enforcement subject to conditions and the completion of a satisfactory planning obligation (legal agreement) to secure the following:

- Financial contribution of £10,437 per annum over a 40 year period in the form of a Landscape Enhancement Fund to cover the lifetime of the development (totalling £417,485), used to support initiatives in the locality of the development to:
  - Strengthen the character of the AONB through landscape conservation, enhancement and management
  - Enhance biodiversity by the conservation, enhancement and management of boundary features, woodlands and rural lanes
  - Improve rights of way and / or facilities for non-car access

And subject to the following conditions and an informative regarding fencing of the transformers and substation:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:

J00699-020 B Landscape & ecological strategy plan - J00699-020

Location plan - J00699-B-001 Rev 01

CCTV details - SP-CT-D05-PL Rev R02

Site clearances plan - SP-SCD5-PL Rev R02

Site fence - SP-SF-D05-PL Rev R02

Location plan - SP-LP-D05-PL Rev R02

Panel elevation & cross section - SP-ELD5-PL Rev R02

SP-SL1-D05-PL Rev R04 R4 Proposed site layout - SP-SL1-D05-PL Rev R04

Proposed floor plans & elevations of transformer/inverter housing - SP-IN-D05-PL Rev R02

Proposed substation floor plans & elevations - SP-SSD1-PL Rev R03

Wetland Area Sections Location Plan - J00699-S-01 Rev.A

Wetland Area Sections 1 of 2 - J00699-S-02 Rev.A

Wetland Area Sections 2 of 2 - J00699-S-03 Rev.A

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

2. 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).

3. The development (including all ancillary equipment and buildings) hereby approved shall be dismantled and removed from the site in its entirety and the land restored in accordance with a scheme and timetable of decommissioning works and land restoration pursuant to condition 4 of this consent, in accordance with the following timescales, whichever is the sooner:

- a. Within 40 years following first export of electricity to the grid; or
- b. within 6 months of the cessation of electricity generation by the solar PV facility hereby approved; or
- c. within 6 months following a permanent cessation of construction works prior to the solar pv facility coming into operational use.

Written notice of the date of first export, the cessation of electricity generation or the permanent cessation of construction works prior to the solar pv facility coming into operational use, whichever is the sooner, shall be given to the Local Planning Authority within 14 days of the said event occurring.

REASON: To ensure an acceptable restoration of the site in the interests of the setting of the AONB and heritage assets.

4. Not later than 12 months before planned decommissioning of the development hereby approved a scheme for decommissioning and the restoration of the site shall be submitted to and approved in writing by the Local Planning Authority. In the event of unplanned cessation of electricity, under scenario (b) of condition 3, a scheme for decommissioning and the restoration of the site shall be submitted to and approved in writing by the Local Planning Authority within 6 months of the date electricity generation ceased. The scheme shall make provision for the removal of the solar arrays and the associated above ground structures, equipment and foundations. The scheme shall include the management and timing of any works; a traffic management plan; an environmental management plan including measures to protect wildlife and habitat; identification of access routes; restoration measures; and a programme of implementation. Decommissioning and re-instatement of the land shall be carried out in accordance with the approved scheme.

REASON: To ensure an acceptable restoration of the site in the interests of the setting of the AONB and heritage assets.

5. The detailed biodiversity mitigation and enhancement/net gain strategy set out within the approved Biodiversity Plan certified by the Dorset Council Natural Environment Team on 07 Oct 22 must be strictly adhered to during the carrying out of the development and shall be implemented in full, in accordance with a timetable to be submitted to and agreed in writing by the Local Planning Authority prior to commencement of development.

A record of all monitoring, in accordance with the Biodiversity Monitoring Strategy pursuant to condition 7, shall be kept and made available to the Local Planning Authority upon request. Evidence of compliance in accordance with section J of the approved Biodiversity Plan shall be provided to the Local Planning Authority in line with the timetable to be agreed. The approved mitigation and enhancement/net gain measures must be permanently maintained and retained in accordance with the approved details.

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

6. Prior to commencement of development the following documents, pursuant to the Biodiversity Plan secured under condition 5, shall be provided to, and agreed in writing by, the Local Planning Authority:
  - A Reptile Method Statement (including timings);
  - Details, together with a method statement, for improvements to the physical structure of the ditches;
  - Details, method statement and timeframe relating to the blocking up of the siphon of Drain 1.

The development shall be carried out in accordance with the agreed documents.

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

7. No development shall take place, including ground works and vegetation clearance, until a Biodiversity Monitoring Strategy, pursuant to the Biodiversity Plan secured under condition 5, has been submitted to, and approved in writing by, the local planning authority. The purpose of the strategy shall be to establish the effectiveness of the biodiversity measures by monitoring their condition and use by locally occurring species. The content of the Strategy shall include the following:

- a) Aims and objectives of monitoring to match the stated purpose.
- b) Identification of adequate baseline conditions prior to the start of development.
- c) Appropriate success criteria, thresholds, triggers and targets against which the effectiveness of the various conservation measures being monitored can be judged.
- d) Methods for data gathering and analysis.
- e) Location of monitoring.
- f) Timing and duration of monitoring.
- g) Responsible persons and lines of communication.
- h) Review, and where appropriate, publication of results and outcomes.

A report describing the results of monitoring shall be submitted to the local planning authority at intervals identified in the strategy. The report shall also set out (where the results from monitoring show that conservation aims and objectives are not being met) how contingencies and/or remedial action will be identified, agreed with the local planning authority, and then implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The biodiversity monitoring strategy will be implemented in accordance with the approved details.

Reason: To secure mitigation, compensation and enhancement/net gain for impacts on biodiversity

8. Notwithstanding the submitted Landscape and Ecological Management Plan (LEMP), a final LEMP shall be submitted to, and be approved in writing by, the local planning authority prior to commencement of the development. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The LEMP shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the

development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved LEMP must be implemented in accordance with the approved details, including an implementation timetable, and thereafter the development shall proceed in strict accordance with such details as have been agreed.

Reason: To protect the landscape character of the area and to mitigate and enhance/provide net gain for impacts on biodiversity.

9. Notwithstanding the submitted Construction Environmental Management Plan (CEMP), a final CEMP shall be submitted to, and be approved in writing by, the local planning authority prior to commencement of the development. Thereafter, the development shall proceed in strict accordance with the agreed CEMP, including an implementation timetable.

Reason: To protect biodiversity during the construction phase.

10. The development hereby approved shall be carried out in strict accordance with the submitted Construction Traffic Management Plan (CTMP) dated August 2021.

Reason: In the interests of road safety.

11. The development hereby approved shall proceed only in accordance with the details set out in the Arboricultural Method Statement (AMS) produced by Woodland & Countryside Management Ltd Dated: 30th August 2022 and associated Tree Protection Plan ref: WCM/SSR/S/MFS/MW/TPP/1, dated: 30th August 2022, setting out how the existing trees are to be protected and managed before, during and after development. The development shall not first come into use unless and until an Arboricultural Supervision Statement shall have been submitted to, and agreed in writing by, the Local Planning Authority, the contents of which shall have first been agreed in writing by the Local Planning Authority following a pre-commencement meeting. Thereafter the development shall proceed in strict agreement with such details as have been agreed.

Reason: To safeguard existing trees from the impacts of development

12. No development shall take place until all existing trees, shrubs and other natural features not scheduled for removal have been fully safeguarded and fenced in accordance with the Tree Protection Plan pursuant to condition 11. Such fencing shall be maintained during the course of works on the site. No unauthorised access or placement of goods, fuels and chemicals, soil or other materials shall take place inside this fenced area. The soil levels within the fenced area shall not be raised or lowered and no trenching or excavation shall take place. In the event that protected trees (or their roots) become damaged, are lost or become otherwise defective in any way during such period, the Local Planning Authority shall be notified immediately, and a programme of remedial action as directed by the Local Planning Authority shall be carried out within a timescale to be specified by the Local Planning Authority.

Reason: To safeguard existing trees from the impacts of development

13. 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, providing clarification of how drainage is to be managed during construction and including a timetable for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The surface water scheme shall be implemented in accordance with the agreed details and timetable.

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

14. Prior to the commencement of development details of maintenance and management of both the Surface Water Management Scheme and any receiving system shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented on commencement of the Surface Water Management Scheme 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.

15. No development shall commence until a detailed landscaping and tree planting scheme, including details of maintenance of the proposed planting, shall have been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall be based on the submitted Landscape and Ecological Strategy, drawing J00699-020 Rev B and shall include details of species, sizes, and densities of plants. Such scheme shall be implemented during the planting season November - March inclusive, immediately following commencement of the development, or as may be agreed otherwise in writing by the Local Planning Authority and shall be maintained in accordance with the agreed scheme for a minimum period of 5 years following the completion of the approved landscaping scheme. Any trees or plants that within a period of five years after planting are removed, die, or become, in the opinion of the Local Planning Authority, seriously damaged or defective shall be replaced as soon as it is reasonably practical with others of species, size and number as originally approved.

REASON: To ensure the provision, establishment and maintenance of a reasonable standard of landscape, in the interest of safeguarding the visual amenity and landscape qualities of the area

16. Prior to the commencement of any development hereby approved, 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 and hard surfacing materials relating to maintenance and access routes. Thereafter, the development shall be proceed in strict accordance with such details as have been agreed.

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

17. Prior to the construction and installation of any PV panels, supporting structures, gates, fences, substation buildings, transformer centres, and CCTV equipment within the site, a materials schedule detailing the external colour and finish of each of these boundary treatments/buildings/equipment/apparatus shall be submitted to and approved in writing by

the Local Planning Authority. Thereafter, the approved finish for the buildings and equipment shall be retained and maintained for the lifetime of the development in accordance with the details as have been agreed.

Reason: In the interests of visual amenity

18. No external lighting or audible alarm shall be erected on the site unless details of the proposed lighting/alarm have first been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall proceed in strict accordance with such details as have been agreed.

Reason: In the interest of visual amenity, ecology

19. Prior to the erection of any security cameras and associated equipment, a plan showing camera location and coverage shall have been submitted to and agreed in writing by the Local Planning Authority. Thereafter, development shall proceed in strict accordance with such details as have been agreed.

REASON: In the interests of safeguarding the amenity of neighbouring properties

20. All new cabling between the solar PV modules, the inverter and substation building and connection to the electricity grid network shall be laid underground.

REASON: In the interests of the visual amenity and landscape character of the area.

21. For the duration of the construction and decommissioning period deliveries shall only be received at or dispatched from the site between the hours of 08:00 and 18:00 hours Monday to Saturday and not at all on Sundays and Bank Holidays.

REASON: To protect the amenity of the occupants of residential properties adjacent to the construction route

22. Within 6 months of the development coming into use, information boards shall be erected on site at the locations specified on the plan titled 'Proposed location for information boards' submitted 15 Sep 22. The design, materials, content and text of the proposed information boards shall first be submitted to and agreed in writing by the Local Planning Authority. Thereafter, the development shall proceed in strict accordance with such details as have been agreed.

REASON: In the interests of improving public knowledge of the historic funerary landscape in which the site falls.

23. Prior to the commencement of any development hereby approved, including any excavation, a programme of palaeoenvironmental and geoarchaeological archaeological investigation, including deposit modelling and sampling shall be carried out on the site and the applicant's adjoining land, in accordance with a Written Scheme of Investigation submitted to and agreed in writing by the Local Planning Authority. This should include the proposed location of the works, methodology and timetable for submitting the findings of the archaeological investigation. The findings shall be reported to the Local Planning Authority in writing, and shall identify any foundation structures which require modification, and shall

include details of any proposed foundation changes. Any such changes shall be submitted to, and agreed in writing by, the Local Planning Authority, and the development shall thereafter accord with the details as have been agreed.

Reason: To safeguard and/or record the archaeological interest on and around the site.

And

**Decision on Recommendation B:** REFUSE permission for the reason set out below if the planning obligation (legal agreement) is not completed by 6 months from the date of committee, or such extended time as agreed by the Head of Planning or Service Manager for Development Management and Enforcement:

1. In the absence of a mechanism to secure a Landscape Enhancement Fund, the impacts of the development, by reason of its appearance, scale and positioning, would have a detrimental impact upon the character, landscape and special qualities of the Dorset Area of Outstanding Natural Beauty (AONB), its setting and views from public rights of way within the AONB contrary to policies ENV1 and ENV10 of the West Dorset, Weymouth and Portland Local Plan (2015), the National Planning Policy Framework (2021) and Policy C1.a of the Dorset AONB Management Plan 2019 – 2024, such that the benefits of the scheme would not outweigh the harm caused to the AONB.