



Strategic and Technical Planning Committee

Date: Friday, 4 November 2022
Time: 2.00 pm
Venue: Council Chamber, County Hall, Dorchester, DT1 1XJ

Members (Quorum)

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

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

For more information about this agenda please contact Democratic Services Meeting Contact 01305 224202 - elaine.tibble@dorsetcouncil.gov.uk

Members of the public are welcome to attend this meeting, apart from any items listed in the exempt part of this agenda.

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Agenda

Item	Pages
1. APOLOGIES	
To receive any apologies for absence.	
2. MINUTES	3 - 6
To confirm the minutes of the meeting held on 11 October 2022	
3. 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.

4. PUBLIC PARTICIPATION

Members of the public wishing to speak to the Committee on a planning application should notify the Democratic Services Officer listed on the front page of this agenda. This must be done no later than two clear working days before the meeting. Please refer to the [Guidance for speaking at Planning Committee - August 2022.pdf \(dorsetcouncil.gov.uk\)](https://www.dorsetcouncil.gov.uk)

The deadline for notifying a request to speak is 8.30am on Wednesday 2nd November 2022

5. APPLICATION NUMBER P/FUL/2021/01920 - LAND AT CRUXTON FARM CRUXTON LANE CRUXTON DT2 0EB 7 - 30

Install ground-mounted solar panel photovoltaic solar arrays, substations, inverter stations, security fencing, access tracks, landscaping and other ancillary infrastructure.

6. 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.

7. 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.



STRATEGIC AND TECHNICAL PLANNING COMMITTEE

MINUTES OF MEETING HELD ON TUESDAY 11 OCTOBER 2022

Present: Cllrs John Worth (Vice-Chair, in the Chair), Shane Bartlett, Dave Bolwell, Kelvin Clayton, Jean Dunseith, Mary Penfold and Belinda Ridout

Apologies: Cllrs Robin Cook, Alex Brenton, Mike Dyer, Sherry Jespersen and David Tooke

Also present: Cllr David Walsh

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

Philip Crowther (Legal Business Partner - Regulatory), Vanessa Penny (Definitive Map Team Manager) and Elaine Tibble (Senior Democratic Services Officer)

52. Minutes

The minutes of the meeting held on 4 April 2022 were confirmed and signed as a correct record.

53. Election of Vice Chairman for the duration of the meeting

Proposed by Cllr John Worth, seconded by Cllr Jean Dunseith.

Decision: that Cllr Shane Bartlett be elected Vice-Chairman for the duration of the meeting.

54. Declarations of Interest

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

Cllr Bartlett advised that he had walked across the land many years ago.

55. Urgent items

There were no urgent items.

56. Application to record a town or village green at Stony Down Plantation, Corfe Mullen

The Committee considered a report from the Definitive Map Team Manager for an application to amend the Register of Town and Village Greens by the addition of an area of land known as Stony Down Plantation, a drawing of which was attached at Appendix 1 of the report.

Members were given details of the background of the application and were shown a number of slides from various points of the application site. An application had been made in November 2015 for a Definitive Map Modification Order to add sixteen bridleways across Stony Down Plantation. The Modification Order application was under separate consideration, under Officer Delegation, but relevant to the Village Green application as it would affect the same area of land and both applications were supported by evidence of public use.

The Definitive Map Team Manager explained that there was insufficient qualifying evidence of use to satisfy the legal test that needed to be met in order to recommend the application for approval and it was therefore recommended for refusal.

Oral representation was received from Ms Carol Evans on behalf of the landowner in support of the recommendation to refuse the application.

In response to member questions the Definitive Map Team Manager advised that there was no specific number to qualify significant use of the land and each application should be determined on its own merits. Representations received from those using the land claimed they used the whole area and not just the bridle paths.

The Committee members were in agreement with the Officer's recommendation that there was not enough evidence to meet the legal tests required for the successful registration of a town or village green.

Proposed by Cllr Belinda Ridout, seconded by Cllr Shane Bartlett.

Decision:

That the application VG1/2016 to register land at Stony Down Plantation as Town or Village Green at Corfe Mullen was rejected and The Register of Town and Village Greens should not be updated

57. Exempt Business

There was no exempt business.

Duration of meeting: 10.00 - 10.34 am

Chairman

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Application Number:	P/FUL/2021/01920
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	Land at Cruxton Farm Cruxton Lane Cruxton DT2 0EB
Proposal:	Install ground-mounted solar panel photovoltaic solar arrays, substations, inverter stations, security fencing, access tracks, landscaping and other ancillary infrastructure.
Applicant name:	Enviromena Asset Management UK Limited
Case Officer:	Emma Telford
Ward Member(s):	Cllr Alford

1.0 Summary of recommendation:

Refuse, for the reason as follows:

1. The proposed development, by reason of its appearance, scale and positioning would have a detrimental impact upon the character, landscape and visual quality of the Dorset Area of Outstanding Natural Beauty (AONB) contrary to policy ENV 1 and ENV 10 of the West Dorset, Weymouth and Portland Local Plan (2015). The proposal would also fail to meet the test for major development in the AONB as set out in National Planning Policy Framework para 177 and the public benefits of the development, predominantly its contribution towards renewable energy are not considered to significantly outweigh the harm to the AONB, failing to comply with local plan policy COM 11 and policy C1.a) of the Dorset AONB Management Plan 2019-2024.

2.0 Reason for the recommendation:

- The proposed development does not comply with policy ENV 1 as it would have a detrimental impact upon the character, landscape and visual quality of the Dorset Area of Outstanding Natural Beauty (AONB).
- The proposal does not comply with policy ENV 10 as it fails to contribute positively to the maintenance and enhancement of local identity and distinctiveness of the landscape character area of the Upper Frome Valley as set out in the West Dorset Landscape Character Assessment (2009).
- The proposal does not comply with local plan policy COM 11 or policy C1.a) of the Dorset AONB Management Plan as the proposal does not conserve and enhance the AONB and the benefits of the development are not considered to outweigh the adverse impact on the local landscape and the area of outstanding natural beauty.

- The proposal does not comply with para 177 of the national planning policy framework as it is not considered that there are exceptional circumstances to warrant major development within the area of outstanding natural beauty.

3.0 Key planning issues

Issue	Conclusion
Principle of development	The proposal will need to be considered against Local Plan policy COM 11. Benefits of renewable energy are accepted.
Heritage Assets	No harm to the significance of designated heritage assets.
Residential Amenity	Not considered to be so significant impacts as to merit the refusal of permission for this reason.
Visual Amenity, landscape impact and the Area of Outstanding Natural Beauty	The proposals are not considered to meet the NPPF exceptional circumstances tests for major development in the AONB.
Highway Safety	The traffic impact of the development once operational is likely to be minimal. It is considered that suitable controls could be implemented to minimise the risk to trunk road traffic during the construction to an acceptable degree.
Biodiversity	A Landscape & Ecological Management Plan has been agreed to secure biodiversity enhancements.
Flooding and Drainage	Both the Flood Risk Management Team and the Environment Agency raised no objections.
Right of Way	The proposal would not impact on the physical use of the foot path.
Trees	The impact on trees is considered acceptable.

4.0 Description of Site

4.1 The application site is comprised of agricultural land located across two agricultural fields at Cruxton Farm which lies 0.7km south-west of Dorchester Road (A356). An existing agricultural farm track serves the site at present from Cruxton Farm. The northern field has been used as a game bird rearing area with an extensive area of pens spread across the slope. The boundaries of the site are formed of a mixture of dense hedgerow and mature trees. The western boundary of the site has a public right of way which runs along the boundary in the northern field and continues to run along the western boundary of the southern field. A further public right of way runs along the southern boundary of the site.

4.2 The nearest properties to the site are situated in Cruxton (circa 550m north-east), dispersed dwellings in Notton including Notton Hill Barn Cottages (circa 300m south) and Greenford Farm (circa 700m west).

4.3 The application site falls within the Dorset Area of Outstanding Natural Beauty (AONB).

5.0 Description of Development

5.1 The proposed development involves the construction of a solar farm, to include the installation of solar photovoltaic panels to generate 11.8MW of electricity, with substations, inverters, perimeter stock fencing, access tracks and associated works. The PV panels will be laid out in rows across the site in east/west orientation and face to the south, with a maximum height of 2.54m and the arrays spaced approximately 5.6m apart. Plant and other equipment would be located around the site, adjacent to internal tracks to ensure access for maintenance purposes.

5.2 It is proposed that the scheme would be decommissioned at the end of a 40 year operational lifespan and the site restored to agricultural use with all the equipment and below ground connections removed.

6.0 Relevant Planning History

P/ESC/2021/00682 – Request for EIA Screening Opinion – to determine whether there is a requirement for an Environmental Impact Assessment to accompany a planning application – EIA is required – 12/03/2021

WD/D/20/001978 – Pre Application consultation: Construction of a solar farm and battery storage facility - *the provision of renewable energy would need to be weighed up in the planning balance against any adverse impacts on the local landscape, heritage assets/areas of historic interest, residential amenity and biodiversity. The location of the development within the AONB also means that any application would have to clearly demonstrate that para 172 of the NPPF had been considered and the proposal resulted in an exceptional circumstance and was in the public interest – 17/11/2020.*

7.0 List of Constraints

Area of Outstanding Natural Beauty

Poole Harbour Nutrient Catchment Area

Landscape Character; Chalk Valley and Downland; Upper Frome Valley

Outside of Defined Development Boundary

RoW: Footpath S29/19;

RoW: Footpath S29/20;

Setting of Scheduled Monuments

Setting of Listed Buildings

SSSI Impact Risk Zone

8.0 Consultations

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

Consultees

1. **Natural England** - Whilst Natural England welcome the improved LVIA and photomontages it remains our view that the application is a 'major development' which would result in substantive harm via significant adverse impacts to the designated landscape of the AONB, as outlined in our previous letter. We therefore continue to recommend refusal of the current application.

2. **Landscape** – I am unable to support this form of development within this highly sensitive and valued landscape. Owing to the prevailing landscape characteristics of this area – the proposals are likely to give rise to significant adverse visual effects which would be widely experienced at close to long range distance. These effects cannot be satisfactorily mitigated – given the nature of the local landform and location of associated vantage points.
3. **Natural Environment Team** - The application is within the scope of the Dorset Biodiversity Appraisal Protocol (DBAP) criteria which includes all development sites of 0.1 ha and over or where there are known protected species or important habitats/habitat features. DC NET have not received the ecological report and biodiversity plan for review and approval under the Protocol to date.
4. **Flood Risk Management Team** – No objection subject to a condition for the submission of a detailed surface water management scheme which accords with the submitted Flood Risk Assessment.
5. **Rights of Way Officer** – No comments received.
6. **Highways** – The Highway Authority considers that operation of the proposal does not present a material harm to the transport network or to highway safety and consequently has no objection.
7. **Conservation Officer** – The proposals will result in no harm to the significance of designated heritage assets and so neither paragraph 201 nor 202 is considered to be engaged.
8. **Trees Officer** – No objection subject to conditions for the submission of an Arboricultural Method Statement and the protection of trees in accordance with the Arboricultural Impact Assessment and Tree Protection Plan.
9. **Planning Policy** – The proposal is considered to be policy compliant in principle, subject to satisfactory assimilation of adverse impacts pertaining to landscape, townscape and historic interests, as well as mitigation of amenity and ecological issues. Subject matter experts of these areas should be consulted in relation to these issues.
10. **Dorset AONB Team** – Whereas AONB Management Plan Policy C3.f provides support to renewable energy production that are compatible with the objectives of AONB designation, there are clear grounds to consider that this application is not compatible. Overall, the application is considered to conflict with the other Management Plan policies and adversely impact on the Special Qualities of the designation.

The application conflicts with key aspects of NPPF, which recommends that the scale and extent of development within AONBs should be limited. Furthermore, as a form of ‘major development’ in the AONB, the application would require special

justification to be approved. The required exception circumstances are not considered to exist, at least with regard to the third aspect of the test.

Due to the nature and significance of landscape and visual effects, which in my opinion cannot be adequately moderated, there is a clear conflict between the application and the AONB's primary purpose, this being the conservation and enhancement of the Area's landscape and scenic beauty. Consequently, I am unable to support the application and would like to register a formal objection.

11. Environment Agency – The site has minimal constraints within our remit and we have no objection to the proposal. We do recommend that the applicant considers a Construction Environment Management Plan, which should include pollution prevention measures.

12. Dorset Wildlife Trust - It is noted that although the submitted Biodiversity Management Plan dated December 2021 refers to an updated BNG calculation this has not been provided on the portal. It is not clear that any of the recommendations made in our previous response have been incorporated in the updated information provided. I assume that the relevant documents are with NET for consideration under DBAP and DWT recommend that planning approval is not granted until a valid certificate of approval of any submitted Biodiversity Plan or LEMP has been issued.

13. Environmental Health – The proposed temporary access road is in proximity to areas with historical and potentially contaminative land use, namely unknown filled ground. It is recommended that an unexpected contamination condition is applied.

14. Maiden Newton Parish Council – Maiden Newton Parish Council raises no objection to this updated application which considers the access and traffic management to the site.

15. Wessex Water – The applicant will need to agree protection arrangements for the existing 360mm distribution main which crosses the site (10m easement).

16. National Air Traffic Services – The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

17. Frome Vauchurch Parish Meeting - The proposed highways plan and flood plan is totally inadequate bearing in mind that these lanes are not suitable for the size of and number of proposed vehicles to use these lanes during the construction phase. No consideration has been given to the surrounding residences being at a higher flood level and the impact this could have. Finally, the proposed access is also part of cycle route 26 and heavily used.

Frome Vauchurch Parish Meeting has not been consulted as part of this application, although all the major impact during construction will be via this parish.

We would therefore ask that an alternative construction plan be considered to consider the residents above the applicant's needs.

18. National Highways – Referring to the consultation on the planning application in the vicinity of the A35 that forms part of the Strategic Road Network, notice is hereby given that National Highways formal recommendation is that we:

Recommend that conditions should be attached to any planning permission that may be granted.

Whilst we are satisfied that the traffic impact of the development once operational is likely to be minimal, it is necessary to ensure that safe and suitable arrangements will be in place for managing traffic during the construction phase of the development. National Highways provided a detailed recommendation dated 15 March 2022 setting out our concerns with regards to the suitability of the Greenford Lane priority junction with the A35 at Kingston Russell to accommodate construction traffic as proposed at that time. We therefore requested that further assessment of the A35 junction and construction vehicle routing be undertaken to enable us to fully understand the impact of the development on the safe and efficient operation of the A35, and thereby provide informed advice to the planning authority.

Following constructive engagement with the applicant and their agents an updated Construction Traffic Management Plan (CTMP), Revision D, dated August 2022 has now been submitted including a revised construction vehicle routing strategy and associated risk management measures. On this basis, we are satisfied that suitable controls will be implemented to minimise the risk to trunk road traffic during construction of the development to an acceptable degree.

We are therefore recommending a planning condition to secure the implementation of the CTMP and associated control measures. The signing to be placed on the A35 will also require the applicant to apply for roadspace with our road operator, Connect Roads, prior to any signs being placed within the highway. An informative has also therefore been provided in this regard, which should be appended to the planning authority's decision. Connect Roads will need to review the sign design and location to satisfy themselves that the Traffic Signs Manual Chapter 8 requirements have been met and will require the name of the traffic management contractor and evidence they are "Sector Approved" by National Highways for work on the strategic road network. This information will be required to allow a road space booking to be made and approved.

Representations received

Ten comments have been received in response to the application. One in support and nine in objection to the proposed development. The reasons set out in support are summarised below:

- All farmers have had to diversify in order to maintain a decent income.

- Supplies green energy.
- The site is not an eyesore it would not be highly visible.
- At a time of rapidly increasing energy prices is now not the time to be supporting this application and helping towards a greener environment.

The reason for objecting to the application are summarised below:

- Unacceptable harm to the landscape.
- Unacceptable harm to the setting of heritage assets.
- Land forms part of an area of outstanding natural beauty.
- Application is contrary to Local Plan policy COM 11.
- The site sits in the middle of the attractive countryside.
- The solar panels would be clearly visible from many locations from miles around.
- Would be visible from a number of roads and numerous other footpaths and bridlepaths in the surrounding countryside and the lie of the land makes mitigation by screening impossible.
- The proposal fails to meet policies local plan policies ENV 1 and ENV 5.
- The proposed site is situated on top of a hill, which will cause far more surface water run-off and thereby impacting on the land and wildlife situated below the site.
- The proposal appears to ignore local flooding issues.
- The proposal fails to meet local plan policy ENV 10.
- The proposal would result in an encroachment into the undeveloped AONB and would represent a form of sporadic intrusive development detrimental to the openness of the AONB.
- The proposal would have an adverse impact on the special qualities of the AONB and would result in an adverse visual impact on the character of the locality.
- Adverse effects outweigh any benefits in permitting the scheme.
- Giving the unsuitability of the site, it would create a dangerous precedent for the identification of suitable sites.
- Recreational qualities will certainly be lost by the proximity of the proposal both visually and aurally from the noise in the otherwise peaceful setting.
- Would result in fields being industrialised in the heart of the AONB.
- Security fencing described as wildlife proof to be erected would be environmentally damaging.
- The Millennium Way footpath will be ruined for users of the path when they have to walk beside hundreds of meters of security fencing along two of the perimeters.
- As a general observation, there is a growing consensus that more pv installations may not be the answer to our green energy objectives.
- There is no mention of the grandstand view of the proposal along a good stretch of the A37 trunk road at Hogg Cliff.

- During the winter months with no winter foliage on the trees and hedgerows a 2.4m reflective structure will be visible from the south end of the installation.
- Surfaced access road post construction for maintenance will result in surface water flooding.
- Site is completely inappropriate for use as a solar farm.
- Application seems to be unclear about the noise that would be generated by the installation, substations and inverter stations.
- There needs to be clarification of how the construction and maintenance of this installation will impact on the wildlife.
- A vast amount of different birds have been identified on and around Crupton farmland.
- Concerns about the impact this may have on local tourism.
- Proposed solar-farm site will increase further the risk of overland water flow following substantial rainstorms.
- Cleaning of the panels is not addressed.
- The use of rotational power inverters is unacceptable as they emit harmful levels of noise pollution.
- Connection location to the grid is not described in the prospectus – more overhead power supply cables is not acceptable.
- 40 years is permanent rather than temporary.
- Consideration should be given to how to ensure the restoration of the land and should include the removal of roads and concrete.
- Setting of the listed properties in the area.
- The gradient of the land means that screening cannot be effective.
- Loss of views of the open countryside from the Macmillan Way.
- Use of Macmillan Way will be offset by CCTV installed.

Concerns were also raised regarding the proposed access and route of the construction traffic required for the development which are summarised below:

- Dairy Cottage is a grade II listed and is of unique interest and is located 1-2m adjacent to Crupton Lane. The cottage will receive the full impact of the construction traffic.
- Concerned about the volume, size and frequency of the vehicles during the 3-4 months construction period which will have a detrimental effect.
- Access to the site will be very challenging, the initial stretch of the access road from Crupton is concrete, the rest is not.
- Access would be highly unsuitable for heavy vehicles as well as a concern for local residents who need the access for their homes.
- Assumption that the roads feeding the farm track will be adequate these include Crupton Lane, Back Lane and Frome Lane which are single track with few passing points for large vehicles.

In response to the concerns raised the proposed access and route for the construction traffic was amended to be via Greenford Lane rather than through Cruxton itself and the application was re-consulted on.

9.0 Relevant Policies

Development Plan

West Dorset, Weymouth & Portland Local Plan

ENV 1 – Landscape, Seascape and Sites of Geological Interest

ENV 2 – Wildlife and Habitats

ENV 4 – Heritage Assets

ENV 5 – Flood Risk

ENV 9 – Pollution and Contaminated Land

ENV 10 – The Landscape and Townscape Setting

ENV 12 – The Design and Positioning of Buildings

ENV 15 – Efficient and Appropriate Use of Land

ENV 16 – Amenity

SUS 2 – Distribution of Development

COM 7 – Creating a Safe and Efficient Transport Network

COM 9 – Parking Standards in New Development

COM 11 – Renewable Energy Development

Material Considerations

National Planning Policy Framework

Section 2 - Achieving sustainable development

Section 4 – Decision-making

Section 6 - Building a strong, competitive economy

Section 11 – Making effective use of land

Section 12 - Achieving well designed places

Section 14 - Meeting the challenge of climate change, flooding and coastal change

Section 15 - Conserving and enhancing the natural environment

Section 16 - Conserving and enhancing the historic environment

Other material considerations

Dorset Area of Outstanding Natural Beauty Management Plan 2019-2024

Design and Sustainable Development Planning Guidelines (2009)

West Dorset Landscape Character Assessment 2009

Relevant UK legislation and strategies include:

- Energy Act (2016)
- Climate Change Act (2008) (as amended)
- UK Renewable Energy Strategy (2009)
- Energy Security Strategy (2012)
- Renewable Energy Roadmap (updated 2013)
- Clean Growth strategy (2017)

Planning Practice Guidance (DCLG web-based resource)

Environmental Impact Assessment (EIA)

An EIA Screening Opinion application (Ref P/ESC/2021/00682) was submitted to the LPA prior to the submission of this planning application, to assess whether an Environmental Impact Assessment would be required for any of the considerations in respect of the nature, size and location. The LPA concluded that the proposed development is likely to result in significant landscape and visual impacts and, thus, the proposal would amount to EIA development. It was determined that the proposals represent EIA development and require the preparation of an environmental statement. This has been submitted with the application.

10.0 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.

11.0 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.

In this case, the application relates to a solar energy proposal. The solar park would be provided on private land and fenced off from members of the public for security purposes and is not considered to impact on those with protected characteristics.

12.0 Financial benefits

- Jobs created from construction.

13.0 Environmental Implications

13.1 NPPF paragraph 158 sets out that when determining planning applications for renewable and low carbon development, local planning authorities should not require applicants to demonstrate the overall need for renewable energy and recognise that

even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions. It also sets out that applications should be approved if the impacts are (or can be made) acceptable.

13.2 The proposed development involves the construction of a solar farm, to include the installation of solar photovoltaic panels having an approximate installed generating capacity of 11.8MW of electricity, enough electricity to meet the energy needs of approximately 4,781 homes. The solar arrays would be in place for 40 years, which is not uncommon. The period of 40 years coincides with the end of the life expectancy of the arrays whilst they generate electricity at an economical scale.

13.3 A Material Considerations Update Note was submitted in August 2022, setting out the latest material planning considerations that had emerged in support of the proposed development since the addendum to the planning statement was submitted in December 2021. This update note included 'snippets' from the Intergovernmental Panel on Climate Change (IPCC) second part of their sixth assessment report published in February 2022 and the press release issued to coincide with the publication of the report setting out that the impacts of climate change are already with us, and that ambitious and accelerated actions are required. The update note also detailed that in light of the recent and ongoing events in Ukraine, the energy security benefits of renewable energy generation have received greater attention in recent months. The Government's recent policy paper, British energy security strategy (7th April 2022) includes extracts like the following "the growing proportion of our electricity coming from renewables reduces our exposure to volatile fossil fuel markets" and "accelerating the transition from fossil fuels depends critically on how quickly we can roll out new renewables".

13.4 Dorset Council accepts this need to provide energy from renewable sources within its administrative area. It declared a climate emergency in May 2019 and in November 2019, this was updated to a Climate and Ecological Emergency. The most recent figures published by the Department for Business, Energy & Industrial Strategy (Renewable electricity by local authority, 2014 to 2020) show that the majority of renewable energy produced in Dorset Council is via solar PV installations and has increased substantially from 2014, particularly considering the challenging extent of Dorset's landscape and cultural heritage designations.

14.0 Planning Assessment

- Principle of development
- Impact on agricultural land
- Residential amenity
- Visual amenity, landscape impact and the AONB
- Highway safety
- Biodiversity
- Flood and drainage
- Rights of way

- Planning balance

Principle of development

14.1 The proposed development involves the installation of ground-mounted solar panel photovoltaic solar arrays, substations, inverter stations, security fencing, access tracks, landscaping and other ancillary infrastructure. West Dorset, Weymouth & Portland Local Plan policy COM 11 covers matters relating to renewable energy development. It states that proposals for generating heat or electricity from renewable energy sources (other than wind energy) will be allowed wherever possible providing the benefits of the development, such as the contribution towards renewable energy targets, significantly outweigh any harm. It also states that permission will only be granted provided any adverse impacts on local landscape, townscape or areas of historic interest can be satisfactorily assimilated; the proposal minimises harm to residential amenity by virtue of noise, vibration, overshadowing, flicker or other detrimental emissions, during construction, its operation and decommissioning; adverse impacts upon designated wildlife sites, nature conservation interests, and biodiversity are satisfactorily mitigated.

14.2 Dorset Council accepts that energy needs to be produced from renewable sources and the Council must aim to provide this within its administrative area. The Council recognised this by declaring a climate emergency at a meeting on May 16th, 2019 (updated to a climate and ecological emergency in November 2019) with the aim of taking a lead as an authority in tackling climate change. In July 2020, a draft Climate and Ecological Emergency Strategy (CEES) was produced to ensure that the Council is carbon neutral by 2040 and the wider country by 2050. The final version of the CEES was published in July 2021. A CEES Progress Report – Spring 2022 has more recently been published which in relation to renewable energy sets out that a “working group is exploring what can be done under existing planning policy framework to be as proactive as possible on increasing renewable energy development in Dorset”. The progress report also sets out next steps including “develop opportunities to support renewable energy through existing planning policy framework” and “work with partners and developers to bring forward large scale renewable energy projects”. Local Plan policy COM 11 (as above) explains how the Council will assess renewable energy applications. Section 14 of the National Planning Policy Framework (NPPF) states, amongst other requirements, that councils should not expect applicants to justify the need for renewable energy development. They are recognised as providing a valuable contribution to cutting greenhouse gas emissions. But it also states approval should only be granted for renewable and low carbon development if its other impacts are (or can be made) acceptable.

14.3 The proposed solar farm would have an approximate generating capacity of 11.8MW, enough electricity to meet the energy needs of approximately 4,781

homes. As such, the development would lead to a source of renewable energy and a cut in greenhouse gas emissions.

14.4 The proposal for the generation of renewable energy is acceptable in principle by virtue of the broad support for renewable energy development under policy COM 11 of the adopted Local Plan. However, this is caveated that planning permission will only be granted provided that any adverse impacts can be mitigated and the benefits that the scheme will deliver outweigh the adverse impacts that remain, which will be considered in the following sections of this report.

Impact on agricultural land

14.5 An Agricultural Land Classification (ALC) Report has been prepared and submitted as part of the application. The ALC concludes that the majority of the site is Grade 3b 'Moderate Quality' agricultural land (10ha), with a smaller portion of Grade 3a 'Good Quality' agricultural land (8ha). It is therefore considered that the majority of the application site comprises lower quality agricultural land and does not include any Grade 1 or Grade 2 agricultural land. A part of the site comprises best and most versatile agricultural land – grade 3a but it only forms a smaller part of the site. It is considered that on the whole it has been adequately demonstrated that the proposed development would avoid the best and most versatile agricultural land. The applicant also advises that the land can be grazed once the development is in operation, to give a dual benefit of being agriculturally productive whilst generating renewable energy.

Heritage Assets

14.6 The proposed development falls within the setting of a number of heritage assets including the grade II listed Manor Farmhouse, grade II listed Dairy Cottage, grade II* West Cruyton Farmhouse and the scheduled monument two bowl barrows. The application site is situated just over 1km from the closest of the barrow group and on the opposite side of Notton Bottom. The Senior Conservation Officer considered that the distance and topography in this instance are such that the proposals will not result in a change to the general character of the assets surroundings. The Senior Conservation Officer considered that the proposals will result in no harm to the asset's significance. Given the proximity of the listed buildings (Manor Farmhouse, Dairy Cottage and West Cruyton Farmhouse) and the shared aspects of some elements of their setting, they are considered together. The application site is situated 600m from the closest of the group and has no intervisibility with any of the assets owing to distance and topography. There are no established connections between the site and Cruyton Manor. There is a historical connection in landholding between Dairy Cottage and the site however this connection will not be materially changed by the proposals to the extent that setting is affected. The Senior Conservation Officer considered that for these reasons the

proposals will result in no harm to the asset's significance. Given all of the above, the proposal is considered to result in no harm to the significance of designated heritage assets and so neither paragraph 201 nor 202 of the NPPF is considered to be engaged. As such the proposals also accord with policy ENV 4 of the local plan.

Residential amenity

14.7 The proposed development involves the installation of ground-mounted solar panel photovoltaic solar arrays, substations, inverter stations, security fencing, access tracks, landscaping and other ancillary infrastructure. Local plan policy COM 11 sets out that permission should only be granted for renewable energy development if *the proposal minimises harm to residential amenity by virtue of noise, vibration, overshadowing, flicker, or other detrimental emissions, during construction, its operation and decommissioning.*

14.8 The site lies in a predominantly agricultural landscape, the nearest properties to the site are situated in Cruyton (circa 550m north-east), dispersed dwellings in Notton including Notton Hill Barn Cottages (circa 300m south) and Greenford Farm (circa 700m west). Owing to the separation distances to these nearest neighbouring properties there would be no adverse impacts in terms of overbearing or loss of outlook. Noise and dust nuisances may arise during the construction phase of the development, these impacts however would be short term, temporary and able to be mitigated through the implementation of best practice construction methods, such that significant impacts on residential amenity would not be of a harmful degree.

14.9 A Glint and Glare Study was prepared as part of the application to assess the possible effects. The study confirmed that reflections from the proposed development would be possible for 5 dwellings at certain times of the year, however, views of the proposed development would be limited by intervening screening in the form of existing vegetation and terrain and therefore the overall impact is predicted to be low. Given all of the above the impact on neighbouring amenity is not considered to be significant as to merit the refusing of permission for this reason and as such the proposal is considered to accord with policy ENV 16 of the local plan.

Visual amenity, landscape impact and the AONB

14.10 The proposed development is for the erection of a 11.8MW photovoltaic array and ancillary infrastructure, within a site area totalling 17.66 hectares. The built development encompasses ground mounted solar panels and ancillary infrastructure such as inverters, access, fencing, CCTV with a proposed operational phase of 40 years. The application site is located within the Dorset AONB which was designated in 1959 and the primary purpose of which is to conserve and enhance the natural beauty of the designated area. Alongside National Park status, AONB designation is the highest level of landscape protection available within England and Wales.

There is a statutory duty on the Council to have regard to the purpose of conserving and enhancing the natural beauty of the AONB,

14.11 NPPF para 176, makes the following reference to AONB's:

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 Broads⁵⁹. 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.

14.12 NPPF para 177, makes the following reference to AONB's:

When considering applications for development within National Parks, the Broads and Areas of Outstanding Natural Beauty, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;*
- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and*
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.*

14.13 NPPF footnote 60 sets out that “for the purposes of paragraphs 176 and 177, whether a proposal is ‘major development’ is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined”. The proposal is considered ‘major development’ due to the large scale of the site and its elevated position within the undeveloped downland, its very close proximity to the Macmillan Way, alongside its visibility from a wide range of landscape and visual receptors. Therefore, in line with NPPF para 177 an exceptional circumstances test needs to be undertaken and the application would need to satisfy all three aspects of the test, as well as being deemed to be in the public interest.

Part A - Need for the development:

14.14 The proposed solar farm would have an approximate generating capacity of 11.8MW, enough electricity to meet the energy needs of approximately 4,781

homes. As such, the development would lead to a source of renewable energy and cut in greenhouse gas emissions. As previously stated in the principle of development section of this report the proposal for the generation of renewable energy is acceptable in principle by virtue of the broad support for renewable energy development under policy COM 11 of the adopted Local Plan. Section 14 of the National Planning Policy Framework (NPPF) states, amongst other requirements, that Councils do not expect applicants to justify the need for renewable energy development. They are recognised as providing a valuable contribution to cutting greenhouse gas emissions and therefore the proposal is considered to meet test a) of para 177.

Part B - Scope for developing outside the designated area:

14.15 A NPPF Para 177 compliance note was submitted as part of the application, in relation to part B the note sets out that the location of the proposal is driven by the availability of grid capacity, the ability to deliver a viable connection and securing a suitable area of land within that area which is available and deliverable. The supporting document sets out that it is necessary for the development to be located within close proximity to the electricity network with sufficient capacity to accommodate the proposed developments electricity generation and as a general rule, the further the point of connection from the development site the less feasible providing the connection is due to the additional costs of cables, their installation, greater third party landowner negotiations etc. The document details that in the Maiden Newton area, the grid is highly limited and investigations into available capacity on areas outside of the AONB revealed no suitable sites – only sites that would have been too costly to connect to the grid which would have made the project unviable. However, no evidence has been shown detailing this point. It also states that Dorset has some of the highest levels of irradiance in the UK which means the production per acre is much higher than in other areas which results in a much more efficient use of land than if the project was located elsewhere.

14.16 The planning application is also supported by a Sequential Analysis Study (SAS) which has been prepared primarily in response to part of the site consisting of grade 3a best and most versatile agricultural land. The SAS focuses on a 3km study area to assess potential availability of alternative sites. An application for capacity to accommodate the proposed development has been made by the applicant to the Electricity System Operator (ESO), the ESO have confirmed that there is sufficient capacity for the 11.8MW and therefore a 3km distance was chosen as it was considered necessary for the development to be located within proximity to the electricity network with sufficient capacity to accommodate the proposed electricity generation. However, it fails to evidence other points for example within the plan area (outside of that 3km catchment) where there would be capacity for the development. The SAS considered a total of 22 alternative sites all of which were

subject of the AONB designation and any outside of 3km of the site were considered unacceptable due to the connection to the grid.

14.17 Whilst neither local or national planning policy specifically address the issue of grid capacity, Planning Practice Guidance highlights the proximity of grid connection infrastructure as a technical consideration for the siting of renewable energy technologies. This would suggest that the proximity to/ability to connect to the grid is a material consideration in the determination of the planning application. In terms of the wider implications for renewable energy schemes within the Council Area, it is understood that the issues highlighted above can be overcome with grid reinforcements, albeit at a potentially high cost for developers. The various applications for solar farm development across the Dorset Council Area is also suggestive that opportunities for such development are not widely constrained by grid capacity currently, and it has to be considered that future applications could act as a catalyst for grid improvements. Also, a consideration is SSEN's Distribution Future Energy Scenario Report for the Southern England Area (2021), which indicates a high degree of confidence from solar developers that large scale solar development projects will go ahead, with a large potential pipeline of 119 developments across the southern England area, and a further 40 sites which have been issued connection offer quotes by SSEN. It is noteworthy that SSEN's report does comment on grid capacity for generation but does not cite this as a constraint for Dorset. The argument presented by the applicant in relation to connectivity to the grid appears to be one centred around the overall viability of the development and whether costs incurred for grid connection would be prohibitive to this type of development elsewhere in the Council area. Generally, this would not be an issue to be given significant weight in the determination of the planning application, as the overall cost of a development is not a material consideration in and of itself. Whilst there would seem to be no firm evidence that grid capacity is proving to be an overriding constraint to solar generation development in the Council area, in the context of the Climate and Ecological Emergency, and the need for renewable energy development to help meet the target of carbon neutrality by 2050, the ease of connectivity to the grid (or otherwise) may be an issue that can be given some weight in the determination of the application. However, in this case it is not considered that it has been properly demonstrated there are no alternative sites outside of this search area of Maiden Newton (3km) with no detailed alternative sites considered in relation to the AONB designation and grid capacity in other areas of the plan area. Therefore, it cannot be considered at this stage that there are no alternative sites outside of the AONB.

Part C - Any detrimental effect on the environment, the landscape and recreational opportunities:

14.18 The proposed development is considered quasi-industrial in appearance and the aesthetic character of the proposal would result in a contrast and juxtaposition

with the underlying natural character of the site and its wider landscape setting with the AONB. The Dorset AONB Landscape Planning Officer considered that the development proposals adversely affect some of the special qualities that underpin the AONB designation particularly the undeveloped rural character, tranquillity and remoteness, striking sequences of beautiful countryside and uninterrupted panoramic views to appreciate the complex pattern and textures of the surrounding landscapes. The application was supported by the submission of an LVIA, however the Dorset AONB Landscape Planning Officer considered that the LVIA should have identified that the proposal would result in significant landscape and visual effects on the character and appearance of the AONB of substantial importance, with the key areas of contention focusing on the degree to which effects of the development can be considered localised and the weight that can be attached to the temporary nature of the development.

14.19 Concerning the temporary nature of the effects, the proposed 40 years is a considerable duration and the impacts of the proposal would take effect for a 40 year period which can be considered equivalent to half a lifetime. In relation to the nature of the effects and whether these can be considered localised the Dorset AONB Landscape Planning Officer sets out that the site is located within the upper slopes of the landscape character area comprising the Frome Valley and the surrounding open downland. The placement of the development within the upper slopes of the valley results in widespread visibility of the site from the other side of the Frome Valley although the visibility of the site area varies in accordance with the elevation and distance, and that the views from the affected area are commonly towards the backs and sides of the panels. The Dorset AONB Landscape Planning Officer concludes that the development will be readily perceived in views, and the effects of the development will be particularly pronounced from the more elevated vantage points including from the rights of way and open access land on the opposite side of the Frome Valley, particularly in the direction of Fore Hill and Hog Cliff. The development would also impact on the right of way, Macmillan Way, which directly passes the site along the western boundary. The development would alter the character of the site and lead to the direct loss of panoramic views from this section (approximately 0.8km) of the route. The right of way would have hedging on both sides, (on one side existing hedging and on the other proposed) with the security fencing and solar panels located on the other side of one of those hedges.

14.20 The proposal would result in a discordant feature in a relatively undeveloped area of elevated rural downland. The Dorset AONB Landscape Planning Officer concluded that the sensitivity of the application site and the nature of the effect on views will significantly adversely affect the appreciation of the tranquil and undeveloped character of the countryside from both the Macmillan Way and the rights of way and open access land on the opposite side of the Frome Valley. This was supported by Natural England who welcomed the improved LVIA and photomontages but remained of the view that the application is a major development

that would result in substantive harm via significant adverse impacts to the designated landscape of the AONB. The second part of test C is the extent to which detrimental effects could be moderated. The proposals fail to demonstrate how the identified adverse effects could be mitigated, the proposed planting along the Macmillan Way would have a significant adverse effect on the right of way substantially altering the character of the site and would lead to the direct loss of the panoramic view from this section of the route. It is also considered that the significant adverse effects identified above cannot be satisfactorily mitigated from the rights of way and open access land on the opposite side of the Frome Valley, particularly in the direction of Fore Hill and Hog Cliff given the nature of the local landform and location of these vantage points. It is therefore considered that the application fails to satisfy this major development test of the NPPF and does not comply with local plan policy ENV 1, ENV 10 and policy C2 of the Dorset AONB Management Plan.

14.21 Therefore whilst it is accepted that the generation of power from a renewable resource and the potential job creation are all in the public interest they are not considered to amount to exceptional circumstances such as to warrant the granting of planning permission for this major development in the Area of Outstanding Natural Beauty.

Highway safety

14.22 The primary construction access would be from an existing farm access off Greenford Land to the west of the site, and a minority of construction traffic would be routed along Cruyton Lane to the north of the site. The original Construction Traffic Management Plan (CTMP) routed all construction traffic along Cruyton Lane to the north of the site. To which no objection was raised by highways but concerns were raised by the Parish Council and third parties regarding the volume of heavy vehicles using Cruyton Lane and the impact of this on the highway but also residential amenity. In response to these concerns a revised CTMP was submitted showing the majority of construction traffic rerouted to use the existing farm access on Greenford Lane and therefore access the site from the south. Highways raised no objection to the change and still considered that the operation of the proposal does not present a material harm to the transport network or to highway safety. Concerns were however raised by National Highways regarding the suitability of the A35 junction to the south to be used. In response to the concerns additional information was submitted including visibility splays, swept path analysis and collision data records and discussions were held with National Highways and various revisions of the CTMP discussed.

14.23 The final CTMP, revision D, routes the majority of vehicles into the site via Greenford Lane with a minority of construction vehicles and the operational vehicular access to the site proposed via the existing field access from Cruyton Manor Farm access road, which would be improved. National Highways considered that the traffic

impact of the development once operational is likely to be minimal. However safe and suitable arrangements need to be in place for managing traffic during the construction phase of the development. Following the submission of the CTMP, revision D, National Highways were satisfied that suitable controls would be implemented to minimise the risk to trunk road traffic during construction of the development to an acceptable degree. A condition was recommended to secure the implementation of the CTMP and associated control measures and an informative for the requirement of advance warning signs to be placed within the A35 highway boundary for which the applicant would need to apply. This condition and informative would need to be placed on any approval if granted. Given all of the above the proposal is considered to comply with local plan policy COM 7.

Biodiversity

14.24 The proposed development involves the installation of a ground-mounted solar panel photovoltaic solar arrays and other ancillary infrastructure. Initially concerns were raised by both Natural Environment Team and the Dorset Wildlife Trust that the required ecological report and biodiversity plan had not been submitted for review and as such the proposal had not secured biodiversity enhancements and net gain. In response to the comments received a Landscape & Ecological Management Plan (LEMP) was submitted and agreed with the Natural Environment Team and a certificate of approval issued. The measures include reinforcement infill planting along the boundaries and hedgerows within the internal field patterns to fill the gaps. An area of proposed wildflower meadow located within the south-west corner of the fenced area where no solar panels would be located. Outside the fenced enclosure, a hedgerow and shaded areas grassland mixture is proposed to provide an ecological corridor that encourages safe foraging for small animals and invertebrates. Five bird boxes would be erected on trees and additional bat roost provision would be made through the inclusion of five bat roost boxes on trees. The agreed LEMP includes a biodiversity net gain assessment which shows clear net gains of over 34.32% for area based habitat units and net gains of over 10.26% for linear based units which is largely down to low value agricultural habitats being replaced with higher value modified or neutral grassland that can be readily managed to achieve at least moderate condition. For linear units, the gains are due to native species hedgerow planting and infilling. A condition would be placed on any approval granted for the development to be carried out in accordance with the agreed LEMP. Given all of the above the proposal is considered to comply with local plan policy ENV 2, wildlife and habitats.

Flooding and drainage

14.25 The application site is located within Flood Zone 1 – defined as land with the lowest risk of flooding. The Environment Agency were consulted on the application and raised no objection to the proposal concluding that the site has minimal

constraints in their remit. They did however recommend that a Construction Environment Management Plan be undertaken to include safeguarding measures to deal with any pollution risks, which could be secured by condition.

14.26 Concerns have been raised by third parties regarding the impact of the proposal on surface water flooding. A Flood Risk Assessment which includes surface water management was submitted as part of the application. The Flood Risk Management Team considered that the submitted FRA adequately details the potential risks posed by solar farms from a drainage and flood risk perspective and proposes some indicative mitigation measures. Solar panels are not considered to introduce impermeable area as they are raised above ground and allow retention of greenfield conditions. However, they can focus flows resulting in erosion, increased siltation and introduce compaction of soils during the construction phase and beyond. To mitigate some of these impacts the applicant's drainage and flood risk consultant has set out mitigation measures including swales to intercept, collect and store runoff, permeable paving and provisional maintenance and management strategy. The Flood Risk Management Team set out that most of the site naturally falls to the north-east but downstream of Cruyton Manor and therefore they do not consider that the proposals are likely to result in any offsite worsening and that any swales may offer some limited betterment by providing on site storage. The Flood Risk Management Team therefore raised no objection subject to a condition for a detailed surface water management scheme which accords with the submitted FRA and informatives to be placed on any approval granted.

Right of way

14.27 A footpath, the Macmillan Way runs along the whole western boundary of the site and would be maintained. However, the outlook from this section (approximately 0.8km) of the right of way would be altered as a result of the proposed development. The right of way currently has field hedging on one side and the open fields of the application site on the other. The proposed scheme would mean that the right of way would have hedging on both sides, with security fencing and the solar panels behind the hedging on one side. This will change the outlook from the right of way making it more closed in with a tunnelling effect for any users of the footpath, the right of way would still be accessible and unimpacted in terms of use but the proposal would significantly change the outlook of the path and would negatively impact on the amenity of the users of the path.

Trees

14.28 The application site consists of two adjoining fields, the field boundaries are hedgerows, with a belt of larger trees and shrubs growing along the east boundary of both fields. The east corner of the north field adjoins a woodland and the adjoining south west corner of the south field is an area of beech and sycamore woodland. An

Arboricultural Impact Assessment and associated tree constraints plan and tree protection plan were submitted as part of the application. The Trees Officer was consulted and considered that tree issues relating to this application have been suitably managed by the details contained in the submitted documents. No objections were raised subject to conditions for an arboricultural method statement to be submitted and for the protection of trees to be carried out in accordance with the impact assessment and tree protection plan.

Planning balance

14.29 The purpose of the planning system is to contribute to the achievement of sustainable development. There are three dimensions to this: economic, social, and environmental. These dimensions give rise to the need for the planning system to perform a number of roles, which should not be undertaken in isolation because they are mutually dependent.

14.30 Solar farm developments of the scale proposed will almost always have a visual or other material impact of some sort, whether immediate from nearby footpaths or wider afield within the landscape. The application site is located within the Dorset AONB and would appear as an alien, quasi-industrial development in a relatively undeveloped landscape and which would be highly visible from the Macmillan Way. It is considered that even after any proposed mitigation there would still be a range of residual adverse impacts to the visual amenity and landscape character to the significant detriment of the AONB. This application is considered clearly contrary to the highest status of protection afforded to the Dorset AONB and fails to meet the exceptional circumstances of major development in the AONB as cited at para 177 of the NPPF.

14.31 The above identified harm must be balanced against the necessity for renewable energy development. Dorset Council accepts that energy needs to be produced from renewable sources and the Council must aim to provide this within its administrative area. The Council recognised this by declaring a climate emergency at a meeting on May 16th, 2019 (updated to a climate and ecological emergency in November 2019) with the aim of taking a lead as an authority in tackling climate change. The proposed solar farm would have an approximate generating capacity of 11.8MW, enough electricity to meet the energy needs of approximately 4,781 homes. As such, the development would lead to a source of renewable energy and a cut in greenhouse gas emissions. However, no properly evidenced justification has been provided demonstrating why the development could not be located outside the AONB.

14.32. Local plan policy COM 11 covers renewable energy development:

i) Proposals for generating heat or electricity from renewable energy sources (other than wind energy) will be allowed wherever possible providing that the benefits of the

development, such as the contribution towards renewable energy targets, significantly outweigh any harm. In addition, permission will only be granted provided:

- *Any adverse impacts on the local landscape, townscape or areas of historical interest can be satisfactorily assimilated;*
- *the proposal minimises harm to residential amenity by virtue of noise, vibration, overshadowing, flicker, or other detrimental emissions, during construction, its operation and decommissioning;*
- *adverse impacts upon designated wildlife sites, nature conservation interests and biodiversity are satisfactorily mitigated.*

In this case the adverse impacts on the local landscape cannot be satisfactorily assimilated and the benefits of the scheme are not considered to sufficiently outweigh the overall identified harm to the AONB and therefore the proposal is not considered to comply with COM 11. Therefore, the identified harm is such that the proposal would not accord with the Local Plan and NPPF when taken as a whole and the material considerations do not indicate that planning permission should be granted.

16.0 Conclusion

16.1 The development would offer significant environmental benefits over the lifetime of the solar farm for the purposes of sustainable development, as it would provide an approximate generating capacity of 11.8MW, enough electricity to meet the energy needs of approximately 4,781 homes. Biodiversity enhancements can also be secured. However, the appearance, scale and positioning would have a detrimental impact upon the character, landscape and visual quality of the Dorset AONB and are sufficiently adverse and significant to outweigh the public benefits of the proposal. The proposal is also considered to fail the NPPF tests for major development within the AONB and does not comply with local plan policy COM 11. Given the above, material considerations do not indicate that planning permission should be granted.

17.0 Recommendation

Refuse, for the reason as follows:

1. The proposed development, by reason of its appearance, scale and positioning would have a detrimental impact upon the character, landscape and visual quality of the Dorset Area of Outstanding Natural Beauty (AONB) contrary to policy ENV 1 of the West Dorset, Weymouth and Portland Local Plan (2015). The proposal would also fail to meet the test for major development in the AONB as set out in National Planning Policy Framework para 177 and the public benefits of the development, predominantly its contribution towards renewable energy are not considered to significantly

outweigh the harm to the AONB, failing to comply with local plan policy COM 11 and policy C1.a) of the Dorset AONB Management Plan 2019-2024.