



Strategic and Technical Planning Committee

Date: Thursday, 16 October 2025
Time: 10.00 am
Venue: Council Chamber, County Hall, Dorchester, DT1 1XJ

Members (Quorum 6)

Duncan Sowry-House (Chair), Dave Bolwell (Vice-Chair), Belinda Bawden, Matt Bell, Toni Coombs, Richard Crabb, Spencer Flower, Craig Monks, Belinda Ridout, Pete Roper, David Taylor and David Tooke

Chief Executive: Catherine Howe, County Hall, Dorchester, Dorset DT1 1XJ

For more information about this agenda please contact Democratic Services Meeting Contact 01305 224709 - megan.r.rochester@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. If you would like to attend this meeting and have any specific requirements, please contact the Democratic Services Officer named above.

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Agenda

Item	Pages
1. APOLOGIES	
To receive any apologies for absence.	
2. MINUTES	5 - 10
To confirm the minutes of the meeting held on Tuesday 23 rd September 2025.	
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. REGISTRATION FOR PUBLIC SPEAKING AND STATEMENTS

Members of the public wishing to speak to the Committee on a planning application should notify the Democratic Services Officer listed on the front of this agenda. This must be done no later than two clear working days before the meeting. Please refer to the Guide to Public Speaking at Planning Committee. [Guide to Public Speaking at Planning Committee](#)

The deadline for notifying a request to speak is 8.30am on Tuesday 14th October 2025.

5. P/FUL/2025/00485 - LAND AT CRUXTON FARM CRUXTON LANE CRUXTON 11 - 56

Construction of a temporary solar farm, to include the installation of solar photovoltaic panels, with substations, inverters, perimeter fencing, landscaping and other associated works.

6. P/VOC/2023/02551 - LYME REGIS GOLF CLUB, TIMBER HILL, LYME REGIS, DORSET, DT7 3HQ 57 - 98

Modification of conditions of planning permission 1/D/13/000972 for improvements to existing golf driving range and practice area including amended scheme for the re-profiling of the playing surface through the importation and placement of uncontaminated sand, naturally occurring soils and inert waste (Variation of condition 3 of p.p. WD/D/17/000991– (Time Limit – Completion of Development) to extend the end date to 18/08/2023).

7. P/FUL/2024/03046 - BLADELEY HILL, COURT FARM, BUCKLAND NEWTON, DORSET 99 - 120

Retrospective application for construction of lagoon to store waste from septic tanks to be used as fertiliser in agriculture.

8. 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.

9. 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.

There are no exempt items scheduled for this meeting.

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STRATEGIC AND TECHNICAL PLANNING COMMITTEE

MINUTES OF MEETING HELD ON TUESDAY 23 SEPTEMBER 2025

Present: Cllrs Duncan Sowry-House (Chair), Belinda Bawden, Matt Bell, Toni Coombs, Spencer Flower, Craig Monks, Belinda Ridout, Pete Roper, David Taylor and David Tooke

Apologies: Cllrs Dave Bolwell and Richard Crabb

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

Philip Crowther (Legal Business Partner - Regulatory), Eleanor Godesar (Senior Planning Officer), Felicity Hart (Minerals and Waste Planning Manager), Megan Rochester (Senior Democratic Services Officer), Tom Uglow (Lead Project Officer (Minerals & Waste)) and Lindsey Watson (Senior Democratic and Governance Officer).

17. Minutes

The minutes of the meeting held on Monday 8th September were confirmed and signed.

18. Declarations of Interest

Cllr Belinda Bawden declared an interest to agenda item 5, stating that she was a carbon literacy trainer for town and parish councils, co-founder of the Dorset Climate Action Network, and worked with a national organisation which supported parish councils on climate related matters. It was agreed that she would take part in the debate and vote on the item.

19. Registration for public speaking and statements

Representations by the public to the Committee on individual planning applications are detailed below. There were no questions, petitions or deputations received on other items on this occasion.

20. P/VOC/2023/02762 - Waddock Cross, Wellsite Waddock Cross, Affpuddle, Dorchester, DT2 8QY

The Case Officer presented the proposal using site plans, aerial photographs, and current site images, confirming that the site was not producing oil at the time. Key constraints included the proximity of Oakers Wood SSSI, ancient woodland, and listed buildings. The application sought to vary previous conditions, with the temporary duration of the permission and restoration of the site extended for a further 10 years to 2033. The site layout and phasing would be unamended, except for new ecological mitigation and enhancements to be provided on-site.

Relevant policies were considered, including Dorset's Climate and Ecology Strategy and the Energising Dorset Growth Strategy, which supported the transition to green energy. While the development would have generated some greenhouse gas emissions, these were not considered significant at a county or national level. Updated ecological surveys informed mitigation and enhancement measures, including habitat features for invertebrates and reptiles.

The proposed extension until 2033 was deemed acceptable within the transitional period towards net zero by 2050. New ecological mitigation was explained, including a close boarded fence to mitigate against light spill towards the adjacent SSSI that is used by bats. The fencing was considered to preserve landscape character. Low traffic volumes, which would have been similar to the original permission, were not expected to impact highway safety. Existing conditions were reviewed and retained to mitigate impacts on amenity, ecology, landscape, and groundwater. A condition relating to early cessation of hydrocarbon production operations prior to 1 June 2033 was circulated to members. The condition aimed to safeguard long-term environmental and operational concerns. The recommendation was to grant planning permission, subject to conditions.

Public Participation

Mr Whipple read a statement which addressed the national policy imperative to maximise energy security and supply. He felt that the application breached planning policy. It was noted that the site in question was an oil site, not gas. Reference was made to the Climate Change Committee's projections that oil demand would decline significantly by 2050. The application was criticised for lacking evidence of future commercial viability and for being in breach of the local mineral strategy. Mr Whipple stated that the site should have been restored over a decade ago and urged councillors to reject the application.

Mr May read a statement on behalf of Ms Finch. It was noted that the applicant had acknowledged the potential for significant greenhouse gas emissions. He highlighted the cumulative impact of such projects on climate change and referenced recent Government guidance and academic studies from the University of London. The statement criticised stated that the applicant has ignored the most current climate policy positions and urged the committee to reject the application due to its unacceptable environmental impact.

Ms Elcoate delivered a strong statement regarding the dangers of continued fossil fuel extraction, citing climate change as a global emergency and calling for local action. She stated that councillors had a responsibility to contribute positively to climate commitments by rejecting the application. She questioned the applicant's conclusion that environmental impacts were not significant, noting that an estimated 350,000 tonnes of emissions represented a major impact. Ms Elcoate questioned whether such harm was justifiable for what she described as a marginal contribution to oil supply. She stated that Dorset's own climate strategy was incompatible with the application and urged its refusal. Additional concerns raised included traffic movements and biodiversity impacts, with reference to widespread local opposition.

Mr Foster addressed the committee in support of the application, noting that a

comprehensive set of ecological surveys had been undertaken. He reported that the applicant had engaged with Affpuddle and Turnerspuddle Parish Council, attending meetings and answering questions. While consensus had not been reached, the applicant had worked cooperatively. Mr Foster stated that the purpose of the application was to regularise existing development and that, as of January 2025, the site had provided an annual breakdown of oil reserves. The applicant had considered climate impacts, and Mr Foster concluded that the proposal complied with both national and local planning policies. He argued there were no provisions in the relevant development policies that restricted continued production. Members were asked to support the officer recommendation for approval, subject to conditions.

Members questions and comments

- A query was raised regarding the duration of the commission, with clarification sought on whether the condition imposed a fixed end date.
- Members sought clarity on who held responsibility for determining the significance of environmental impacts.
- One member questioned why significance was assessed in terms of global or national metrics rather than local targets.
- A discrepancy in figures noted in Column 4 of the spreadsheet was highlighted. Members expressed concern that inaccuracies could alter the interpretation of the data.
- Clarification was requested regarding the decommissioning provisions outlined in Section 16.1 of the report.
- Members queried details of the cessation condition, seeking further explanation of its scope and intent.
- A question was raised regarding the nature and intended use of the oil extracted from the site.
- Concerns were expressed about the water table and potential impacts
- Requested details regarding transport routes beyond Bovington.
- Asked why local emissions were not included in the assessment.
- Sought guidance on how the scale of significance (local, national, global) could or should be determined in such assessments

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having considered the officer's report and presentation; the written; and what they had heard at the meeting, a motion to **DEFER** was proposed by Cllr David Taylor, and seconded by Cllr Belinda Bawden.

Decision: To defer the item to a later date to seek further detail on the scale of significance and whether it was possible to assess the proposal in relation to global carbon budgets, as well as national and local impacts.

21. Urgent items

There were no urgent items.

22. **Exempt Business**

There was no exempt business.

Decision Sheet

Duration of meeting: 10.00 - 11.30 am

Chairman

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Strategic and Technical Planning Committee
Tuesday 23rd September 2025
Decision List

Application: P/VOC/2023/02762

Application Site: Waddock Cross Wellsite Waddock Cross Affpuddle Dorchester DT2 8QY

Proposal: Retention of an existing well site for 10 years for oil production from the existing boreholes, Waddock Cross - 2 and Waddock Cross - 3, drilling of a sidetrack well, Waddock Cross - 4, and drilling of two boreholes, Waddock Cross - 5 and Waddock Cross - 6 for the appraisal and production of oil (Variation of condition 2 (Temporary Time Limit) and 3 (Restoration) of 6/2013/0001 in order to retain the wellsite for a further ten years).

Recommendation: Grant planning permission subject to conditions set out in section 18.

Decision: To defer the application to facilitate further collaboration between the planning team and the applicant. This would enable the application to be presented to the Committee at a later date.

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Application Number:	P/FUL/2025/00485
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	Land At Cruxton Farm, Cruxton Lane, Cruxton
Proposal:	Construction of a temporary solar farm, to include the installation of solar photovoltaic panels, with substations, inverters, perimeter fencing, landscaping and other associated works.
Applicant name:	Enviromena Asset Management UK Limited
Case Officer:	Matthew Pochin-Hawkes
Ward Member(s):	Cllr Eysenck

1. Reason application is going to committee:

- 1.1 The application has been brought to the Strategic Planning Committee for determination based on the scale of the proposal (major application) and because the planning officer's recommendation differs from the recommendation of the Parish Council.

2. Summary of recommendation:

- 2.1 Refuse planning permission for the following reasons:
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 National Landscape and existing public rights of way. The impacts would not be sufficiently mitigated contrary to policies ENV1, COM7 and COM11 of the West Dorset, Weymouth and Portland Local Plan (2015). The proposal constitutes major development in the Dorset National Landscape and exceptional circumstances to justify the development have not been demonstrated, and, owing to the impacts on the National Landscape, granting of the proposals is not considered to be in the public interest, in conflict with Para. 190 of the National Planning Policy Framework (2024). The benefits of the proposal are not considered to outweigh the harm of the development, failing to comply with Local Plan policy COM11 and the Dorset AONB Management Plan 2019-2024.

3. Key planning issues

Issue	Conclusion
Principle of development	Principle to be considered against Local Plan policy COM 11.
Impacts on agricultural land	Acceptable.
Landscape and visual impacts	Exceptional circumstances have not been demonstrated. There would be significant adverse landscape and visual effects. The proposals would adversely affect existing rights of way.
Heritage	Acceptable, subject to conditions.

Issue	Conclusion
Residential amenity	Acceptable, subject to conditions.
Highways	Acceptable, subject to conditions.
Biodiversity	Acceptable, subject to conditions.
Trees	Acceptable, subject to conditions.
Flood risk and drainage	Acceptable, subject to conditions.

4. 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). The site includes an existing agricultural farm track that serves the site from Cruxton Farm. 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. Both public rights of way form part of the Macmillan Way; a long-distance walking route from Boston to Abbotsbury.
- 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 National Landscape (formerly Area of Outstanding Natural Beauty, AONB).
- 4.4 Other solar farms in the area include:
- Rampisham Down: A 17.3MW solar farm on the north side of the A356 opposite the former BBC World Service site, approximately 7km northwest of the application site. The development involved the removal of non-telecommunications masts associated with the former use of the site. Planning references: WD/D/14/002974 and WD/D/19/001433.
 - Southern Counties Shooting Ground: A 9.5MW solar farm to the east and south of the go-kart track at Southern Counties Shooting Ground, approximately 7km northeast of the application site. Planning references WD/D/18/001652 and WD/D/14/003367.

5. Description of development

- 5.1 The proposed development involves the construction of a solar farm, to include the installation of solar photovoltaic (PV) panels, with substations, inverters, perimeter fencing, landscaping and other associated works. The cable route between the point of connection (POC) to the site is not included in the application. The POC is located approximately 60m to the east of the site. The permission is sought for a temporary period of 40 years and would have a capacity of 10MW.
- 5.2 The proposed solar farm has the following components:
- PV array (fixed panels)
 - Transformer stations (no. 4)
 - Customer substation

- District Network Operator (DNO) substation
- CCTV
- Perimeter fence

5.3 Details for these components are as follows:

Table 5.1 – Components of the planning application

Component	Detail
PV array	The panels would be set at an angle of 20 degrees facing south towards the sun. The front, lower edge of the module arrays would be 0.60m above the ground, with a maximum height of 2.27m on the rear, upper edge. Panels measure 4.70m in length. Each row would be spaced a minimum of 3.2m apart to prevent overshadowing of panels by other panels. The panels would be mounted on a mounting structure fixed to the ground with piles.
Transformer stations	Four transformers are proposed within the centre of the PV arrays, two in the north field and two in the south field. The transformers, associated feeder pillars and cabinets would sit on a 5.5m x 5.5m square concrete plinth. The feeder pillar would be approximately 2.49m in height and the transformer would be enclosed by a mesh security fence.
Customer substation	A customer substation is proposed in the south west corner of the northern field to the west of the solar array. It would be enclosed by the perimeter fence. The rectangular building would be oriented north/south and has dimensions of approximately 6.61m length x 2.60m width x 3.07m height.
DNO substation	A DNO substation is proposed to the south of the customer substation outside of the perimeter fence enclosing the solar farm. The rectangular building would be oriented north/south and has dimensions of approximately 9.00m length x 2.80m width x 3.39m height.
Perimeter fence	A deer fence of 2.0m in height would be installed around the perimeter of the solar farm, enclosing all components save for the DNO substation. It would provide some protection against theft or vandalism and enclose livestock.
CCTV	In addition, 13 pole mounted CCTV security cameras (approximately 3m high) would be installed around the perimeter fence.

6. Background and relevant planning history

6.1 The site has a detailed planning history having been subject to a previous planning application for a similar development (P/FUL/2021/01920) and associated recovered planning inquiry (APP/D1265/W/23/3317593) (the 'appeal scheme'). The planning application was refused by planning committee in November 2022 and the appeal was

dismissed in September 2024. Detailed reasoning and judgements are set out in the Inspector's Report to the Secretary of State and Decision Letter from the Secretary of State¹.

P/FUL/2021/01920

Decision: REF

Decision Date: 08/11/2022

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

- 6.2 The development is EIA development. This was confirmed through an EIA Screening Opinion issued by the Local Planning Authority and a Screening Direction issued by the Secretary of State.

P/ESC/2024/04962

Decision: EIA

Decision Date: 23/09/2024

Request for EIA screening opinion

- 6.3 The applicant has undertaken one round of pre-application engagement with Dorset Council planning and landscape officers and the Dorset National Landscape Team. The pre-application proposals were similar to the current proposals, relating to a 10MW solar farm.

- 6.4 The advice can be viewed on the Council's planning register. In summary, the pre-application advice noted the draft proposals had sought to respond to the shortcomings of the appeal scheme and, subject to full assessment, would seem to reduce the harm of the development and increase some of the benefits. Detailed comments from the Council's Senior Landscape Officer and the Dorset National Landscape Team were provided. The planning officer advised that they had concerns that the changes did not go far enough in seeking to reduce the landscape effects and maintain the attractiveness of existing rights of way and that it may not be possible to achieve this given the constraints of the site and extent of development.

P/PAP/2024/00632

Decision: RES

Decision Date: 10/12/2024

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

- 6.5 The design changes from the appeal scheme are as follows:

1. Removing solar panels from the northern extent of the site to create an approximate 80m offset between the existing northern boundary of the site and the proposed solar farm fencing.
2. Planting of wildflower grassland in place of the solar panels which are proposed to be removed.
3. Creation of rest area, including picnic bench and information boards (on renewable energy) within the open space adjacent to the existing right of way.

¹ <https://www.gov.uk/government/publications/recovered-appeal-land-at-crupton-farm-crupton-lane-crupton-ref-3317593-3-april-2024>

4. Removal of DNO substation enclosure previously proposed in the north west corner of the site.
5. New hedgerow planting to the north of the solar panels.
6. Additional tree and shrub planting along the existing northern boundary of the site and between the two fields which make up the proposed solar farm.
7. Relocation of solar panels and associated fencing further away from the Macmillan Way, to create a 10m clear route bound by existing and proposed landscaping to form a 'green lane' along the western and southern boundaries of the site. Note the width varies around the perimeter of the site.
8. Re-configured solar panel layout.
9. Consequential reduction in generating capacity from 11.8MW to 10MW.

6.6 The revised proposal also carries forward the following elements which were proposed as part of the appeal scheme:

1. Permissive path to the west of the site.
2. Hedgerow reinforcement.
3. Proposed management of other boundary vegetation.

7. List of relevant constraints

Dorset National Landscape

Outside defined development boundary

Landscape Character; Chalk Valley and Downland; Upper Frome Valley

Public rights of way:

- Footpath S23/13 – along the western boundary of the west
- Footpath S23/14 – along the southern boundary of the site

Setting of Scheduled Monuments:

- Grimstone Down - Multi-period landscape including an Iron Age or Romano British settlement, part of an associated field system, six bowl barrows and an enclosure 600m south east of Langford Farm. Historic England reference: 1003771.
- Two bowl barrows 1250m east of Notton Hill Barn. Historic England reference: 1004544.
- Bowl barrow 140m south east of Broadwater Cottage. Historic England reference: 1016376.
- Frampton Roman Villa. Historic England reference: 1002683.
- Part of a Later Iron Age or Romano-British settlement 590m north west of Compton Barn. Historic England reference: 1003234.
- Field System W of Fore Hill. Historic England reference: 1002866.

Setting of Listed Buildings:

- Grade II* Listed Building. West Cruxton Farmhouse. Historic England reference: 1287680.

- Grade II Listed Building. Numbers 1 and 2 Cruxton Cottages. Historic England reference: 1216302.
- Grade II Listed Building. Dairy Cottage. Historic England reference: 1215138.
- Grade II Listed Building. Manor Farmhouse, Cruxton. Historic England reference: 1288233.
- Grade II Listed Building. Bridge Over River Frome, Leading to Notton Farm. Historic England reference: 1216502.

Existing and higher potential ecological network – north eastern corner of the site.

Flood Zone 1

8. Consultations

- 8.1 The following is a summary of consultee responses received. All consultee responses can be viewed in full on the Council's website.

Consultees

Environment Agency

- 8.2 No objection. Construction Environmental Management Plan (CEMP) recommended to be secured via planning condition.

Historic England

- 8.3 Following consultation on the amended plans at the recommendation of the Council's Conservation Officer, Historic England confirmed it would not be offering advice in this instance. Historic England recommends that the views of the Council's specialist conservation and archaeological advisors are sought.

National Highways

- 8.4 Traffic impacts of development once operational is likely to be minimal. It is necessary to ensure safe and suitable arrangements will be in place for managing traffic during the construction phase of development.
- 8.5 Subject to the Construction Traffic Management Plan (CTMP) measures being implemented in full for the duration of works, suitable controls will be implemented to minimise the risk to trunk road traffic during the construction of the development to an acceptable degree. CTMP should be secured via a planning condition.

Natural England

Initial plans

- 8.6 Any decision should take full account of the Dorset National Landscape Team's advice and give the necessary weight to the relevant Dorset National Landscape Management Plan policies.
- 8.7 Natural England supports the urgent need for renewable energy as a means of helping to address the very serious ongoing consequences of climate change. Natural England therefore fully accepts that the proposals in themselves will provide a substantial environmental benefit. This needs to be measured against the adverse impact on the natural environment and assessed against the NPPF (notably Para. 189 and 190).
- 8.8 The need for renewable energy should not on its own be considered as an exceptional circumstance. Nor should the availability of a connection to the grid, or grid capacity, be considered as an "exceptional circumstance". Grid connections are not limited to locations within National Landscapes, and their local availability should not justify a major development within a nationally protected landscape.
- 8.9 The proposal will only make a modest contribution to renewable targets.
- 8.10 The scope for siting solar farm developments on alternative sites both within Dorset and further afield is therefore a key consideration for the determination of the application.
- 8.11 Natural England does not consider that the landscape and visual impacts of the scheme are likely to be reduced to an acceptable level over time through on site screening.
- 8.12 It is also important to note that since the previous application for a solar facility at this site that Natural England has acquired land which will form an extension to the Hogcliff National Nature Reserve (NNR). The extension includes land that was not previously publicly accessible and which lies on higher ground than the existing open access land, affording closer views of the application site from a higher elevation. The proposed solar array will be a significant presence in the views available from the extension to the NNR which are currently over unspoilt open farmland that form a special character of the National Landscape.
- 8.13 Ecological benefits of the scheme are not a significant consideration in the context of modifying the harm caused to the Dorset National Landscape.

Revised plans

- 8.14 Natural England maintained its objection noting the proposed changes do not substantially alter the adverse impacts the proposal would have on the special qualities of the National Landscape.

Ministry of Housing, Communities and Local Government (MHCLG)

- 8.15 No comments received.

Dorset National Landscape Team

- 8.15 The National Landscape Team objected to the initial plans and continue to object to the revised plans.

Initial plans

- 8.16 The landscape and visual impacts are significant and weigh heavily against permission being granted. Whilst some modifications have been made to the design and layout compared to the refused application (P/FUL/2021/01920), the amendments do not make the development acceptable in this highly sensitive location.
- 8.17 The proposed development is of quasi-industrial appearance and foreseeably adversely affects some of the special qualities that underpin the designation of the Dorset National Landscape, particularly:
- 'Uninterrupted panoramic views to appreciate the complex pattern and textures of the surrounding landscapes'
 - 'Striking sequences of beautiful countryside that are unique in Britain'
 - 'Tranquillity and remoteness'
 - 'Undeveloped rural character'
- 8.18 The significance of the impacts on the National Landscape remain substantially underrepresented in the updated Landscape and Visual Impact Assessment (LVIA). Effects are underestimated from a number of viewpoints (VPs) with inadequate weight afforded to a substantive loss of far-reaching views from VPs 25 and 26. The alternative permissive route would not provide a view of equivalent panoramic value to that which would be lost.
- 8.19 There are a multitude of viewpoint locations within Hog Cliff NNR and Fore Hill from which the development would be clearly identifiable as a solar farm and would result in material harm to visual amenity. The relatively wide distribution and common occurrence of impacts in and around the enlarged NNR suggest that there would be a significant long-term impact upon the visual amenity of visitors to this site, who are likely to be highly appreciative of the character and qualities of Dorset National Landscape. These impacts weigh heavily against the application, as do impacts upon some of the wider viewpoints beyond the NNR.
- 8.20 The National Landscape Team also comment on alternatives and the weight to be afforded the available grid connection and grid constraints.

Revised plans

- 8.21 The National Landscape Team maintains its objection and considers their earlier comments on the original plans remain valid in substance. The number of 'significant' effects have been underestimated and that the Year 5 effects have also been underestimated. Justification for the use of the site in relation to grid capacity constraints is lacking.
- 8.22 In respect of the National Landscape's special qualities, the National Landscape Team state that 'wildlife of national and international significance' is listed amongst the special qualities of the National Landscape and should biodiversity consultees identify gains that are likely to be beneficial for designated sites and protected species, in particular, these

could be linked to this specific special quality. Otherwise, more generalised gains may be considered in the context of NPPF 189, which notes that the conservation and enhancement of wildlife in a National Landscape is an 'important consideration', but does suggest that this is attributed 'great weight'.

Planning Policy

- 8.23 Draw attention to relevant planning policy and material planning considerations, including the NPPF and Dorset Council's Planning for Climate Changes: Interim Guidance and Position Statement.
- 8.24 With regard to the assessment of the proposal against para 190(b) of the NPPF, the applicant will need to justify the proposed location of the development in the National Landscape, through submission of details which may include viability assessment of alternative options, and an assessment of alternative locations for the development.
- 8.25 Significant weight should be given to the benefits of the proposal for renewable energy, and great weight must be given to the conservation and enhancement of the National Landscape. Whether the proposal is in accordance with the development plan depends on the extent of adverse impacts on the landscape, whether impacts can be satisfactorily addressed or mitigated, and whether exceptional circumstances for the development can be demonstrated in line with para 190 of the NPPF.

Landscape

- 8.26 The Council's Senior Landscape Officer objected to the original proposals and continues to object to the revised scheme. In summary:

Original plans

- 8.27 The proposals would not be consistent with the form, scale and pattern of the existing landscape.
- 8.28 The proposals would not maintain uninterrupted panoramic views within the National Landscape – the two field parcels of solar panels would appear visually discordant in a wide range of views and would disrupt the existing visual 'flow' of undeveloped farmed slopes.
- 8.29 The proposed development would fail to retain existing landscape pattern and characteristic features – as the new planting would transform an otherwise 'open field' into one with 'vegetated corridors'.
- 8.30 The visual effects have been underestimated for the majority of Viewpoints. The site is visible from a wide-ranging arc that runs from the north through to the east where views towards the Site would be freely available from public rights of way and extensive areas of Open Access Land (OAL). The Hog Cliff NNR is actively being promoted for the enjoyment of the local population. The Site would be prominent within numerous elevated positions within this OAL – where the sloping landform of the Site would make it impossible to fully mitigate the effects.

- 8.31 The landscape officer disagrees with the applicant that the proposed development could be successfully accommodated within the site and surrounding landscape with only very limited adverse temporary but long-term residual effects on landscape character or visual amenity as a whole.
- 8.32 The proposals would significantly alter the character and appearance of the part of the Macmillan Way which passes the site. The proposed landscaping, panels and associated infrastructure would effectively 'block' valued views, channel the route and disrupt the skyline. There would be clear harm to the recreational benefits of the route.
- 8.33 Given the topography of the site and its relationship with the slopes to the northeast of the River Frome – the adverse effects could not be satisfactorily mitigated.

Revised plans

- 8.34 Objections maintained. Note the introduction of 3m high CCTV camera poles alongside the Macmillan Way would exacerbate visual effects.

Rights of Way Officer

- 8.35 Note the proposals would directly affect public rights of way and note that free passage of the public must be ensured at all times.

Trees

- 8.36 Conditions recommended to ensure the development is carried out in compliance with the submitted Arboricultural Method Statement and Tree Retention / Removal and Protection Plan within the Arboricultural Impact Assessment and Method Statement.

Conservation

- 8.37 No objection. The proposals would not cause heritage harm to identified heritage assets. Following liaison with the council's Senior Archaeologist, the Conservation Officer recommended that Historic England be consulted in respect of Scheduled Monuments and archaeology.

Highways

- 8.38 The Highways Authority considers that the proposal does not present a material harm to the transport network or to highway safety and consequentially has no objection.

Economic Development

- 8.39 No objection. Following receipt of amended plans (including socio-economic information) the Economic Development Team noted that the applicant's estimates seem reasonable commenting that the most important figures for Dorset are the c. six full time equivalent (FTE) jobs during the lifetime of the project (operations and maintenance) and the 55 person-years during the expected construction phase of up to 6-months.

Environmental Assessment

- 8.40 Comment on the Environmental Statement (ES) and confirm it provides the necessary information to constitute an ES.

Environmental Protection

- 8.41 Confirm the Environmental Protection team has no comments to make.

Flood Risk Management (Lead Local Flood Authority)

- 8.42 Recommend conditions in respect of surface water management, surface water maintenance and soil management. The conditions are recommended to prevent the increased risk of flooding, protect water quality and improve habitat and amenity.

Natural Environment Team (NET)

- 8.43 The NET has no objection to the proposals and recommend conditioning the proposed mitigation, compensation and enhancement measures outlined in the Ecology Assessment Report v6 (dated 3 October 2025). The submitted report outlines numerous on-site habitat creation and enhancement measures including Other Neutral Grassland creation, hedgerow and tree planting to improve existing ecological connectivity on-site. On-site areas marked as existing or higher potential ecological networks have been designated as such within the BNG assessments using the strategic significance multiplier. Mitigation has also been embedded predominantly to the vegetated boundary features which will possess minimum 5m buffer from any development, to retain the value of these habitats and features for protected species such as nesting birds, roosting bats, foraging/commuting bats, and badgers. The development footprint is also restricted to habitats of lower value with little botanical interest such as arable fields and Modified Grassland. The delivery of BNG on-site has been shown to be feasible, delivering a 41% gain in area habitats and 21% gain in linear habitats (hedgerows) through on-site habitat creation and enhancement of the above-mentioned habitats. When considering all of the above, these ecological proposals would create a positive impact for nesting birds, foraging and roosting bats through retained, enhanced and created habitats with greater suitability for these species than the current baseline habitats that are currently present within the National Landscape.
- 8.44 Conditions related to a Construction Environmental Management Plan (CEMP) and Landscape and Ecology Management Plan (LEMP) are also recommended and the NET

has issued a Certificate of Approval confirming the proposed development adequately addresses impacts on biodiversity.

Public Health Dorset

8.45 No objection.

Sustainability Team

8.46 No comments received.

Dorset Fire & Rescue Service

8.47 No comments received.

Dorset Police Architectural Liaison Officer

8.48 In relation to the original plans, the officer makes recommendations to tackle concerns regarding the lack of security measures being put in place. They note solar farms are increasingly being targeted for theft and vandalism, particularly in relation to the high value equipment on site, including the photovoltaic (PV) panels, inverters, batteries and cabling. The proposed deer fence is not a security fence and can be easily breached. Suggest CCTV and lighting is the minimum security required for a solar farm.

8.49 No comments were received in response to the amended plans consultation.

Dorset Wildlife Trust

8.50 No comments received.

National Air Traffic Services (NATS)

8.51 The proposed development does not conflict with NATS' safeguarding criteria.

Ramblers Association

8.52 Support the provision of a rest area including picnic bench and information boards within the open space in the northern field.

8.53 Note the Highways Authority will need to be satisfied that motorised vehicles can use the public rights of way for construction purposes. Such use should be supported by mitigation measures to ensure safety.

8.54 The Ramblers Association recommend that the Local Planning Authority require planting along the boundary of the solar farm fence next to rights of way to provide screening to ensure it does not spoil the experience of using the path.

Compton Valence Parish Council

8.55 No comments received.

Wynford Eagle Parish Council

8.56 No comments received.

Maiden Newton and Frome Vauchurch Parish Council

8.57 In response to the original plans consultation, the Parish Council confirmed support for the application. The Council welcomes the updated access arrangements to the site, the additional mitigation measures that have been put in place, and the inclusion of a community benefit fund to support local initiatives. These enhancements further strengthen the case for the development and its contribution to both sustainable energy and the local area.

8.58 In response to the amended plans consultation, the Parish Council maintained its support and raised no objections.

Eggardon Ward Councillor (Cllr Neil Eysenk)

8.59 No comments received.

Representations received

Dorset Campaign to Protect Rural England (CPRE)

8.60 Dorset CPRE object to the application. The landscape is stated to be of exceptional quality. Dorset CPRE draws attention to the previous refusal on the site and raises concern that the development would conflict with NNPf Paragraph 189.

8.61 Dorset CPRE state solar panels should be placed on roofs and that the proposal is not needed. It will cause severe damage to the Dorset National Landscape.

Third parties

8.62 Six comments from third parties have been received. Five are objections and one is in support. The objections include an objection from Notton Valley Farm. They raise the following points, in summary:

Support

- Need – It is vital that substantial clean energy can be provided wherever possible.
- With the amendments made, temporary consent should be supported.

Objection

- Principle – Location within the Dorset National Landscape is inappropriate. More suitable locations such as former industrial or factory sites should be used.

- Alternatives – Wind power is more effective. Solar panels should be required on the roofs of new buildings.
- Landscape – Harm to landscape character. Proposed landscape screening is insufficient. The proposals will not maintain or enhance local identity and distinctiveness. The site is highly visible.
- National Landscape – Harm to Dorset National Landscape through development of an undeveloped site. Adverse impact on special qualities. Exceptional circumstances are not demonstrated. Proposal should be located outside of the National Landscape.
- Rights of way – Proposals would harm existing rights of way. There are concerns the landowner would not maintain the permissive paths for unrestricted use of the public.
- Heritage – Harm to the setting of heritage assets.
- Highways – Use of Greenford Lane access route for construction traffic must be strictly enforced. Traffic should avoid Maiden Newton village and Cruxton Lane. Signs to manage construction traffic should be erected. Proposed construction route is unsuitable.
- Flooding – The proposals will increase run off and flood risk which will adversely affect land and wildlife.
- Ecology – Fencing will have adverse effects on wildlife.
- Noise – Adverse impacts caused by equipment.
- Land contamination – Solar panels become toxic and will not be recycled.
- Agricultural land – The land will be so damaged it will not be returned to agricultural use at the end of the lifetime of the development.
- Planning balance – Adverse impacts are not outweighed by the benefits of the proposal.

Total - objections	Total - support	Total - comments
5	1	6

9. Duties

- 9.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.
- 9.2 Clause 85 of the Countryside and Rights of Way Act (2000) requires Local Planning Authorities to seek to further the purposes of conserving and enhancing the natural beauty of National Landscape (formerly known as Areas of Outstanding Natural Beauty).
- 9.3 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that when considering whether to grant planning permission for a development which affects a listed building or its setting, there is a general duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

- 9.4 Section 102 of the Environment Act 2021 introduced a strengthened ‘biodiversity duty’ to require public authorities to consider what they can do to conserve and enhance biodiversity, determine policies and specific objectives to further the biodiversity objective and take action as it considers appropriate in light of those policies and objectives.

10. Relevant policies

Development plan

- 10.1 The development plan comprises:

Local Plan Adopted West Dorset and Weymouth & Portland Local Plan:

The following policies are considered to be relevant to this proposal:

- INT1: Presumption in favour of sustainable development
- ENV1: Landscape, seascape & sites of other geological interest
- ENV2: Wildlife and habitats
- ENV4: Heritage assets
- ENV5: Flood risk
- ENV10: The landscape and townscape setting
- ENV12: The design and positioning of buildings
- ENV16: Amenity
- SUS2: Distribution of development
- ECON8: Diversification of land-based rural businesses
- COM7: Creating a safe & efficient transport network
- COM11: Renewable energy development

Material considerations

Emerging local plans:

- 10.2 Paragraph 49 of the NPPF provides that Local Planning Authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

- 10.3 The Dorset Council Local Plan Options consultation took place between January and March 2021 with further consultation undertaken between 18 August – 13 October 2025. Being at a very early stage of preparation, the relevant policies in the draft plan should be accorded very limited weight in decision making.

Emerging neighbourhood plans

10.4 Maiden Newton & Frome Vauchurch - In preparation – limited weight applied to decision making.

National Planning Policy Framework 2024 (as amended 2025)

10.5 Paragraph 11 sets out the presumption in favour of sustainable development. Proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent or relevant policies are out-of-date then permission should be granted unless specific NPPF policies protecting areas or assets provide a strong reason for refusal and/or any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole, with particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well designed places and providing affordable homes.

10.6 Other relevant NPPF sections include:

- Section 4 'Decision making': Para 39 - Local Planning Authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- Section 6 'Building a strong, competitive economy', paragraphs 88 and 89 'Supporting a prosperous rural economy' promotes the sustainable growth and expansion of all types of business and enterprise in rural areas, through conversion of existing buildings, the erection of well-designed new buildings, and supports sustainable tourism and leisure developments where identified needs are not met by existing rural service centres.
- Section 11 'Making effective use of land'.
- Section 12 'Achieving well designed places' This indicates that all development to be of a high quality in design, and the relationship and visual impact of it to be compatible with the surroundings. In particular, and amongst other things, Paragraphs 131 – 141 advise that:

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.

Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

- Section 14 'Meeting the challenges of climate change, flooding and coastal change'. The planning system should support the transition to net zero by 2050 and renewable energy infrastructure (Para. 161). Paragraph 168 states that "when determining planning applications for all forms of renewable and low carbon energy developments and their associated infrastructure, Local Planning Authorities should:
 - a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and give significant weight to the benefits associated with renewable and low carbon energy generation and the proposal's contribution to a net zero future;

b) recognise that small-scale and community-led projects provide a valuable contribution to cutting greenhouse gas emissions;”

- Section 15 ‘Conserving and Enhancing the Natural Environment’- In National Landscapes (formerly known as Areas of Outstanding Natural Beauty), paragraph 189 requires great weight to be given to conserving and enhancing the landscape and scenic beauty. Paragraphs 192-195 set out how biodiversity is to be protected and encourage net gains for biodiversity.
- Section 16 ‘Conserving and Enhancing the Historic Environment’- Paragraph 212 says that when considering designated heritage assets, great weight should be given to the asset’s conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. The effect of an application on the significance of non-designated heritage assets should also be taken into account (Para. 216).

National Planning Practice Guidance (PPG)

10.7 Relevant sections of the NPPG notes:

- 10.8 Increasing the amount of energy from renewable and low carbon technologies will help to make sure the UK has a secure energy supply, reduce greenhouse gas emissions to slow down climate change and stimulate investment in new jobs and businesses. Planning has an important role in the delivery of new renewable and low carbon energy infrastructure in locations where the local environmental impact is acceptable. Paragraph: 001 Reference ID: 5-001-20140306.
- 10.9 The deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in undulating landscapes. However, the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively. Paragraph: 013 Reference ID: 5-013-20150327.
- 10.10 In considering planning applications it is important to be clear that... local topography is an important factor in assessing whether wind turbines and large scale solar farms could have a damaging effect on landscape and recognise that the impact can be as great in predominately flat landscapes as in hilly or mountainous areas... proposals in National Parks and Areas of Outstanding Natural Beauty, and in areas close to them where there could be an adverse impact on the protected area, will need careful consideration... Paragraph: 007 Reference ID: 5-007-20140306.

National Policy, Government Guidance and Strategy

- Climate Change Act 2008
- UK Solar PV Strategy (DECC, 2014)
- Energy White Paper: Powering out net zero future (HM Government, December 2020)
- Net Zero Strategy: Build Back Greener (HM Government, 2021)
- British Energy Security Strategy (HM Government, 2022)
- The Growth Plan (HM Treasury, September 2022)
- Powering Up Britain (HM Government, 2023)
- Powering Up Britain Energy Security Plan (HM Government, 2023)

- Overarching National Policy Statement for Energy (EN-1) (DESNZ, 2024)
- Draft updated Overarching National Policy Statement for Energy (EN-1) (DESNZ, 2025)
- National Policy Statement for Renewable Energy Infrastructure (EN-3) (DESNZ, 2024)
- Draft updated National Policy Statement for Renewable Energy Infrastructure (EN-3) (DESNZ, 2025)
- Clean Power 2030: Advice on achieving clean power for Great Britain by 2030 (NESO, 2024)
- Clean Power 2030 Action Plan: A new era of clean electricity (DESNZ, 2024)
- Guidance for relevant authorities on seeking to further the purposes of Protected Landscapes (DEFRA, 2024)
- Solar Roadmap: UK Powered by Solar (DESNZ, 2025)
- UK Infrastructure: A 10 Year Strategy (HM Treasury, 2025)

Supplementary Planning Documents, Guidance and Evidence

- Dorset AONB Landscape Character Assessment
- Climate & Ecological Emergency Strategy, Dorset Council (15 July 2021)
- Natural Environment, Climate and Ecology Strategy 2023-25 Refresh (March 2023)
- Planning for Climate Change: Interim Guidance and Position Statement (December 2023)
- Dorset AONB Management Plan 2019-2024 (extended to end of 2025 with the agreement of Dorset Council Cabinet 17/12/2024)
- Dorset Low Carbon Energy Route Map and Evidence Base: Energy Opportunities for Decarbonising Dorset (Regen, 2021)
- Dorset Council Grid Capacity Assessment: Constraint Analysis (Dorset Council, 2023)

11. Human rights

- 11.1 Article 6 - right to a fair trial.
- 11.2 Article 8 - right to respect for private and family life and home.
- 11.3 The first protocol of Article 1 protection of property.
- 11.4 This recommendation is based on adopted development plan policies, the application of which does not prejudice the human rights of the applicant or any third party.

12. Public Sector Equalities Duty

- 12.1 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.

12.2 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. It is not considered that the application will affect anyone with protected characteristics.

13. Public Benefits

13.1 Subject to appropriately securing any benefits via planning conditions and/or a Section 106 Legal Agreement, the proposals would provide a number of financial and non-financial benefits, including public benefits. These are summarised in the table below:

Table 13.1 – Public benefits

What	Amount / value
Material considerations	
Contributing towards the provision of renewable energy, tackling climate change and energy security	10MW solar farm supporting the equivalent annual electricity needs of an estimated 5,142 households. Reducing reliance on non-renewable energy sources (unquantified).
Biodiversity net gain	+41.71% habitat units. +20.95% hedgerow units.
Recreation	Alternative permissive route to the west of the site. Rest/picnic area.
Employment and employee spending during construction, operation and decommissioning ²	Construction jobs during construction phase of up to 6-months (77 gross / 61 net person years of which 55 gross / 23 net could take place in Dorset) Operational and maintenance jobs during 40-year lifetime of development (6.6 FTE gross / 5.2 FTE net of which 5.9 FTE gross / 3.9 FTE net could take place in Dorset) Decommissioning jobs during the 6-month decommissioning (3.7 gross / 2.9 net person years of which 3.7 gross and 1.6 net could take place in Dorset)

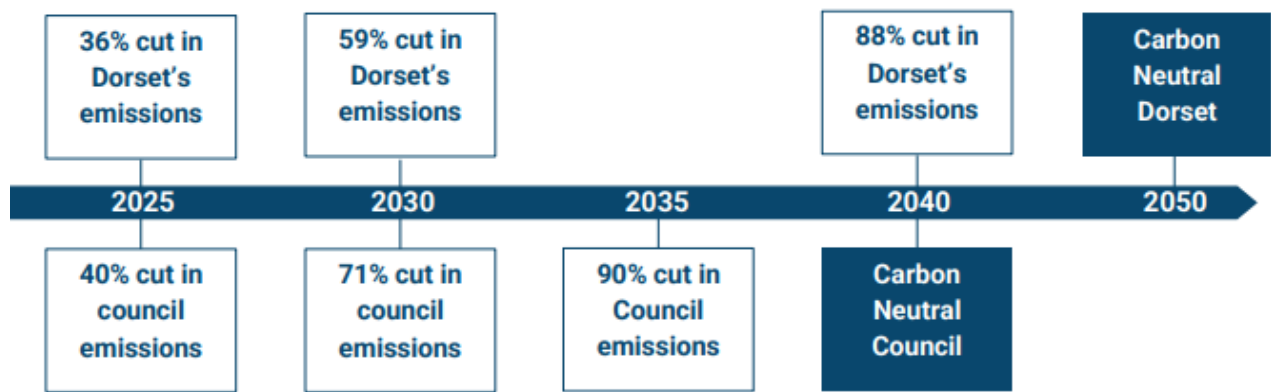
² As estimated by the applicant (Socio-Economic Benefits Statement, July 2025)

What	Amount / value
	Wages a proportion of which would be spent locally (£7.7m gross / £6.1m net of which £5.8m gross / £2.6m net could take place in Dorset)
Gross value added through construction, operation and decommissioning ¹	Gross value added (£12.5m gross / £10m net of which £9.7m gross and £4.1m net could take place in Dorset)
Soil quality	Improved through resting of soil from intensive agriculture and enhancement through sheep farming.
Farm diversification	Diversifying an existing farm through providing a reliable income stream estimated to be approximately £50,000 per year to the farmer.
Non material considerations	
Business rates	In line with ratable value.
Community benefit fund	£20,000

14. Environmental implications

- 14.1 At a national level the Government aims to reduce carbon emissions by 81% (compared to 1990 levels) by 2035 and fully decarbonise the electricity grid by 2030. The Government aims to achieve these targets in a number of ways, including development of up to 50GW of offshore wind by 2030 and a fivefold increase in solar by 2035 (Powering Up Britain, 2023). 45-47GW of solar is targeted by 2030 from over 18GW at present (Solar Roadmap, 2025).
- 14.2 The Government's Net Zero Strategy: Build Back Greener (October 2021) acknowledges that the path to net zero in 2050 will respond to the innovation and adoption of new technologies over time. Whilst the exact technology and energy mix in 2050 cannot be known now, the Government identifies a number of green technologies, which interact to meet demand across sectors.
- 14.3 More recently the Overarching National Policy Statement (NPS) for Energy (EN-1) (2024) states at paragraph 1.2.1 that EN-1, in combination with any relevant technology specific NPSs, may be a material consideration in decision making on energy generation applications that fall under the Town and Country Planning Act 1990 (as amended). Paragraph 1.2.2 advises that whether the policies in EN-1 are material and to what extent, will be judged on a case-by-case basis and will depend on the extent to which the matters are already covered by applicable planning policy. Paragraph 2.3.3 states: "our objectives for the energy system are to ensure our supply of energy always remains secure, reliable, affordable, and consistent with meeting our target to cut GHG emissions to net zero by 2050, including through delivery of our carbon budgets and Nationally Determined Contribution. This will require a step change in the decarbonisation of our energy system".
- 14.4 The NPS for Renewable Energy Infrastructure (EN-3) (2024) covers nationally significant renewable electricity generating stations and confirms the Government's commitment to sustained growth on solar capacity. It confirms the Governments expectation to achieve up to 70GW of solar deployment by 2035.

- 14.5 In November 2024 the newly formed National Energy System Operator (NESO) put forward conclusions as part of its official advice to new ministers on how to reach Labour's election pledge to decarbonise the power system by 2030. The publication titled 'Clean Power 2030: Advice on achieving clean power for Great Britain by 2030' lays out pathways for how Great Britain can achieve a clean power system by 2030. The clean power pathways sees a four-to-fivefold increase in demand flexibility, an increase in grid connected battery storage from 5 GW to over 22 GW, more pumped storage and major expansions in onshore wind (from 14 GW to 27 GW) and solar (from 15 GW to 47 GW) along with nuclear plant life extensions. The report notes that "unprecedented volumes of clean energy infrastructure projects are needed to meet the Government's energy ambitions" and that "a once in a generation shift in approach and in the pace of delivery is required."
- 14.6 The Government's 'Clean Power 2030 Action Plan: A new era of clean electricity' (December 2024) calls for radical action to achieve clean power by 2030. The Action Plan reiterates the need for grid connections queue reform from a 'first come, first served' basis to a system which prioritises projects based on readiness alone; thereby helping to respond to local energy planning and national need. It highlights the capacity of solar projects in the connections queue to 2030 exceeds requirements for NESO's 'further flex and renewables scenario'.
- 14.7 The Government's recent 'Solar Roadmap: UK Powered by Solar' (2025) outlines actions for industry and government to overcome the challenges of delivering solar. It recognises local communities have a vital role to play in helping deliver the Government's net zero and energy security ambitions and it is important that communities can benefit from, and participate in, the deployment of new low carbon energy technologies in their local areas. The Roadmap acknowledges that England's landscapes will need to change over the next 25 years to support climate change mitigation and adaptation, food production and clean energy.
- 14.8 Alongside the need to deliver renewable energy projects at pace, the Government has also committed to halting the decline in species abundance and protecting 30% of UK land by 2030. By 2042, the Government has committed to increase species abundance by at least 10% from 2030, surpassing 2022 levels; restore or create at least 500,000 hectares of a range of wildlife rich habitats; reduce the risk of species extinction; restore 75% of sites of special scientific interest to favourable condition (Environment Improvement Plan, 2023).
- 14.9 The NPPF (Para.168) 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 significant cutting of greenhouse gas emissions. It also sets out that applications should be approved if the impacts are (or can be made) acceptable.
- 14.10 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 in May 2019, with the aim of taking a lead as an authority in tackling climate change. In November 2019 this was escalated to a Climate and Ecological Emergency. On 28 July 2024 Dorset Council also declared a Nature Emergency. The Council is a founding partner in the Dorset Clean Energy Super Cluster and recognises the holistic social-economic and environmental benefits and opportunities of delivering renewable and low-carbon energy.
- 14.11 Dorset Council's Natural Environment, Climate and Ecology Strategy 2023 to 2025 Refresh (2023) established targets for Dorset Council to become carbon neutral as a council by 2040 and a carbon neutral county by 2050, frontloaded by interim targets as follows:



- 14.12 The above targets have since been brought forward by 5 years via the Dorset Council Plan 2024 to 2029 (adopted December 2024). The Plan seeks for the Council to achieve net zero by 2035 and for the entire county to become net zero by 2045.
- 14.13 The Natural Environment, Climate and Ecology Strategy 2023 to 2025 Refresh includes a number of missions. 'Mission 1: Renewable Generation' identifies the deployment of renewables and storage to support the overarching mission of decarbonising the grid. It notes "Dorset has made good progress on solar locally but needs faster growth in renewable generation and storage capacity, grid upgrades, and smarter, flexible demand management... Dorset is an untapped resource of solar, wind and tidal energy. It needs to deliver at scale, manage grid and national planning constraints, and take every opportunity for small- and large-scale deployment."
- 14.14 Dorset Council published the Climate Change: Interim Guidance and Position Statement in December 2023. It notes climate change will be given significant weight as a material consideration in the balance when determining applications, in line with the legislative and national policy context.
- 14.15 The Dorset Council Plan 2024 to 2029 establishes four priorities to be delivered in the next five years, to 2029. They include responding to the climate and nature crisis. The Plan notes that addressing the climate and nature emergencies is vital for current and future generations and is one of the most urgent challenges facing the world today, demanding immediate and decisive action.
- 14.16 The proposed solar farm would have a capacity of 10MW. It would help to support local, national, and international targets through the provision of renewable energy, thereby reducing carbon emissions and helping to decarbonise the grid. It would also contribute towards energy security. The applicant estimates that the solar farm has the potential to serve the electricity needs of approximately 5,142 homes. The applicant has confirmed that they have secured a Point of Connection (POC) to the distribution network northeast of the application site. The proposal therefore has potential to make an early positive contribution towards the above objectives.
- 14.17 It is recognised that the environmental benefits should be balanced against the environmental impacts of the development, including: embodied carbon in construction materials (some of which can be recycled); associated transport emissions during construction and operation; and the partial development of a greenfield site with associated landscaping. Whilst specific assessment of emissions from activities related to the manufacturing, construction and decommissioning of the development has not been undertaken as part of this planning application, the adverse impacts associated with manufacturing, construction and decommissioning are considered to be limited in the context of the benefits associated with renewable and low carbon energy generation and

the proposal's contribution to a net zero future – which the NPPF calls for decision makers to attribute significant weight to (Para. 168).

- 14.18 A community benefit fund of £20,000 has been suggested by the developer. However, this would not be secured by legal agreement as it would be unlikely to meet the tests required for a Section 106 obligation. It is therefore not a material planning consideration in the determination of this application.

15. Planning Assessment

Principle of development

- 15.1 Development outside defined development boundaries is strictly controlled and proposals for the generation of renewable energy are a stated exemption to the restriction, subject to having particular regard to the need for the protection of the countryside and environmental constraints. Local Plan policy COM11 relates specifically to renewable energy provision. It establishes that renewable energy developments will be allowed wherever possible if the benefits of the development significantly outweigh any harm. This supporting policy context is subject to ensuring:
- 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.
- 15.2 At the planning inquiry for the dismissed appeal, the Inspector noted that policy COM11 “sets a higher bar than the NPPF and so may be said to be inconsistent with it” and that “the effect of the policy is to require a judgement to be made on a balance between harm, mitigation and benefits” (Para. 164). Acknowledging this, officers have considered whether the benefits of the development outweigh any harm.
- 15.3 Within National Landscapes, the NPPF establishes that permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development would be in the public interest (Para. 190).
- 15.4 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 Local Plan. However, this is caveated that planning permission will only be granted provided that any adverse impacts can be adequately mitigated and the benefits that the scheme will deliver outweigh the adverse impacts that remain. Further, this is also subject to demonstrating necessary exceptional circumstances and that the development would be in the public interest. Further considerations are addressed in the following sections of this report.
- 15.5 As planning permission is sought on a temporary, albeit very long-term basis, a planning condition would be required to ensure the lifetime of the solar farm does not exceed 40 years.

Impacts on agricultural land

- 15.6 The Agricultural Land Classification (ALC) Report (May 2021) submitted in relation to the previously refused application has been resubmitted. The ALC concludes that the majority (56%) of the site is Grade 3b 'Moderate Quality' agricultural land (10ha), with a smaller, although significant, portion (44%) of Grade 3a 'Good Quality' agricultural land (8ha). Therefore, just over half of the application site comprises lower quality agricultural land and the site does not include any Grade 1 or Grade 2 agricultural land. It is considered that based on the applicant's Sequential Analysis Study, poorer quality land is not available in the 3km study area and that overall it has been adequately demonstrated that the proposed development would limit the use of best and most versatile agricultural land. This accords with Local Plan policy ENV8, which states the council will steer built development towards areas of poorer quality land where it is available.
- 15.7 The applicant has also confirmed that the land enclosed with fencing would be grazed once development is operational to give a dual benefit of being agriculturally productive whilst generating renewable energy. The submitted Landscape and Ecological Management Plan (LEMP) explains that a suitable grazing mix would be applied to the site and that an appropriate grazing regime could be employed. As set out in the LEMP, is expected to involve rotation of livestock across the farm likely comprising light intermittent grazing by sheep between late August / September and November where conditions allow. During the spring and summer (March to August), sheep would be removed or stocking density reduced to allow summer flowering plants to set seed, with grazing removed in the winter period in order to prevent the compaction of wet earth. The LEMP would need to be secured via planning condition to secure the benefits of co-grazing.
- 15.8 Whilst the potential of the agricultural land would be limited over the lifetime of the development (i.e. it could not be used for extensive arable use as it is today), it is agreed that the resting of the land from intensive agriculture for the lifetime of the development would bring some **limited benefits** to soil quality and the longer term productivity of the land. Following the 40-year life of the solar farm, the site could be returned to agricultural use. Subject to securing the removal of all infrastructure and concrete foundations via a suitably worded condition, the long-term impacts on agricultural land would be acceptable and there would be no permanent loss of best and most versatile agricultural land.
- 15.9 On balance, the temporary and limited loss of the potential to use best and most versatile agricultural land for more productive arable uses over the lifetime of the development, having regard to soil improvements and grazing, is considered to carry **limited adverse weight** in the planning balance.

Landscape and visual impacts

- 15.10 The site is located wholly within the Dorset National Landscape wherein Local Plan policy ENV1 confirms i) exceptional landscapes will be protected, taking into account the objectives of the Dorset AONB Management Plan, with development which would harm the character, special qualities or natural beauty of the AONB, including their characteristic landscape quality and diversity, uninterrupted panoramic views, individual landmarks, and sense of tranquillity and remoteness not being permitted. Development should ii) be located and designed so that it does not detract from and, where reasonable, enhances the local landscape character and that iii) appropriate measures are required to moderate adverse landscape effects of development.
- 15.11 Policy ENV10 relates to landscape and townscape setting. It notes all development proposals should contribute positively to the maintenance and enhancement of local identity

and distinctiveness, with development being informed by the character of the site and its surroundings. Development should only be permitted where sufficient hard and soft landscaping to successfully integrate development with the character of the site and surrounding area is provided.

- 15.12 The NPPF (Para. 189) requires that great weight should be given to conserving and enhancing landscape and scenic beauty in National Landscapes which has the highest status of protection in relation to these issues. The Countryside and Rights of Way Act 2000 (CROW Act) protects the AONB to conserve and enhance its natural beauty and places a duty on Local Planning Authority's to seek to further the purposes of such areas.
- 15.13 The application site is located within the Dorset National Landscape which was designated in 1959 (formally as an AONB), the statutory purposes of which are to conserve and enhance the natural beauty of the designated area.
- 15.14 Dorset National Landscape has a number of special qualities that make it a unique and outstanding place, underpinning its designation as a nationally important landscape. The Statement of Significance within the Dorset AONB Management Plan identifies the special qualities of the Dorset National Landscape as:
- 'Contrast and diversity – a microcosm of England's finest landscapes': comprising a collection of fine landscapes, beautiful countryside that are unique in Britain, areas of higher ground which allow uninterrupted panoramic views to appreciate the complex pattern and textures of the surrounding landscape, sense of tranquillity and remoteness, dark night skies and undeveloped rural character.
 - 'Wildlife of national and international significance': including an unusually rich range of habitats and associated species.
 - 'A living textbook of historical record of rural England': notably along the coast, archaeological sites and through the field and settlement patterns and their associated hedges, banks and stone walls.
 - 'A rich legacy of cultural associations': in art, literature and music.
- 15.15 Key policies within the Dorset AONB Management Plan 2019-2024 comprise:
- C1.a: Development that does not conserve and enhance the National Landscape will only be supported if it is necessary and in the public interest. Major development decisions will need to include detailed consideration of relevant exceptional circumstances.
 - C2.d: The key test of a proposal against the statutory purpose of the AONB will be its ability to demonstrate that the proposed change would conserve and enhance landscape and scenic beauty.
 - C2.e: The conservation and enhancement of the AONB's special qualities will be a significant consideration in the planning balance.
 - C2.f: Proposals that are harmful to the character and appearance of the area will not be permitted unless there are benefits that clearly outweigh the significant protection afforded to the conservation and enhancement of the AONB. Where impacts cannot be mitigated, planning gain and compensatory measures will be considered.
- 15.16 Whilst the proposal is not a Nationally Significant Infrastructure Project (NSIP), the Overarching National Policy Statement for Energy (EN-1) (2023), which is considered to be a material consideration, states that measures seeking to further the purposes of National Landscapes should be sufficient, appropriate and proportionate to the type and scale of the

development (Para. 5.10.7). It further notes that whilst energy projects should produce sustainable infrastructure sensitive to place, the nature of energy infrastructure projects will often limit the extent to which it can contribute to the enhancement of the quality of an area (Para. 4.7.2). In respect of decision making by the Secretary of State (SoS), EN-1 states that the SoS should be satisfied that the applicant has considered both functionality (including fitness for purpose and sustainability) and aesthetics (including its contribution to the quality of the area in which it would be located, any potential amenity benefits, and visual impacts on the landscape or seascape) as far as possible (Para. 4.7.11)

- 15.17 Planning Practice Guidance notes that the “deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in undulating landscapes. However, the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively... in the case of ground-mounted solar panels it should be noted that with effective screening and appropriate land topography the area of a zone of visual influence could be zero” (013 Reference ID: 5-013-20150327).
- 15.18 Chapter 5 of the applicant’s Environmental Statement (ES) considers the significant effects on landscape and visual amenity. It explains (Para. 5.2.39) that the proposed development has “been sensitively sited and designed by locating the development in such a position where the number of potential receptors is limited; where views of the full extent of the solar arrays are minimised; by limiting the proposed height of development; by maintaining public rights of way (PRoW) on existing alignments in protected corridors; by creating an alternative permitted footpath route; by providing a rest area for PRoW and permitted footpath users set within open land that safeguards eastward views along the Frome Valley; and by retention and enhancement of existing hedgerows and hedgerow trees that screen the site and maintain field patterns that contribute to local character; by establishing grassland, a wildflower meadow, and nature conservation features for the lifetime of the proposed development; and by managing existing and proposed hedgerows, trees, grassland and meadow in such a way as to make a positive contribution to the overall green infrastructure and ecological networks of this part of the National Landscape.”. The ES contends that the proposals would maintain uninterrupted panoramic views within the National Landscape.
- 15.19 Key terms within the ES for considering the typical descriptors of landscape and visual effects are as follows:

Table 14.1 – Typical descriptors of adverse landscape effects

NO CHANGE	The proposed changes would not be visible and there would be no change to landscape character.
MINOR ADVERSE	Slightly: - not quite fit the character (including value) of the landscape; - be a variance with characteristic features and elements; - detract from sense of place.
MODERATE ADVERSE	Moderately: - conflict with the character (including value) of the landscape; - have an adverse effect on characteristic features or elements; - diminish a sense of place.
MAJOR ADVERSE	Substantially: - be at variance with the character (including value) of the landscape; - degrade or diminish the integrity of a range of characteristic features and elements or cause them to be lost; - change a sense of place.

Table 14.2 – Typical descriptors of visual effects

MINOR ADVERSE	Proposals would result in a slight deterioration in the view.
MODERATE ADVERSE	Proposals would result in a clear deterioration in the view.
MAJOR ADVERSE	Proposals would result in a major deterioration in the view.

15.20 In respect of **visual effects**, the ES considers 29 Viewpoints (VPs) from the surrounding PRoW network, open access land (OAL) and road network. The ES considers visual effects during the construction period (assumed 3.5 months) (short term), at Years 1, 5³ and 15 of operation (medium term) and during the 6-month decommissioning period (short term). Significance of effects are graded from negligible, minor, moderate and major, with only major effects being considered significant for the purposes of the ES. The landscape consultant's methodology identifies only four significant visual effects from close-range VPs on the Macmillan Way either close (VP11) or adjacent (VPs 10, 25 and 26) to the proposed solar farm:

Table 14.3 – Major (significant) Visual Effects

VP	Location	Major effects
VP10	From PRoW Footpath S29/19 (Macmillan Way), looking south	Construction and Year 1
VP11	From PRoW Footpaths S29/19 & S29/20 junction (Macmillan Way)	Construction, Year 1, Year 15 and Decommissioning
VP25	From Macmillan Way/PRoW S29/19 within Site	Construction and Year 1
VP26	From Macmillan Way/PRoW S29/19 within Site	Construction and Year 1

15.21 For VPs 10, 25 and 26, the ES considers that the magnitude of change will reduce from 'high' at Year 1 to 'low' at Year 5. This change reduces the significance of the effects from Major to Moderate (not significant). At Year 15 and during decommissioning, effects from VPs 10, 25 and 26 are judged to reduce to Negligible. The rationale for the reduction in visual effects is based on the screening effect of the hedgerow to be planted between the Macmillan Way and the solar farm.

15.22 Moderate visual effects are identified from a range of VPs:

Table 14.4 – Moderate Visual Effects

VP	Location	Moderate effects
VP3	From PRoW Bridleways S29/8 and S29/12 junction at Fore Hill, looking south west	Construction, Year 1, Year 15 and Decommissioning
VP4	Langcombe Bottom OAL, looking south west	Construction, Year 1, Year 15 and Decommissioning
VP5	From Farm Hill Bottom/Hog Cliff NNR & OAL, looking south west	Construction, Year 1, Year 15 and Decommissioning

³ Only VPs 10, 25, 26 and 28 were assessed at Year 5.

VP6	From Bridleway S29/11 and Hog Cliff Bottom OAL, looking southwest	Construction, Year 1, Year 15 and Decommissioning
VP10	From PRoW Footpath S29/19 (Macmillan Way), looking south	Year 5
VP15	From Fore Hill at junction of PRoW S29/12 and S29/24	Construction, Year 1, Year 15 and Decommissioning
VP16	From PRoW S29/24 and Open Access Land east of Maiden Newton	Construction, Year 1, Year 15 and Decommissioning
VP17	From PRoW S29/10 south of Blastmoor Hill Barn	Construction, Year 1, Year 15 and Decommissioning
VP18	From Hog Cliff Bottom Open Access Land east of PRoW S29/11	Construction, Year 1, Year 15 and Decommissioning
VP19	From Hog Cliff Bottom Open Access Land east of PRoW S29/11	Construction, Year 1, Year 15 and Decommissioning
VP22	From PRoW S29/26 north of railway line	Construction, Year 1, Year 15 and Decommissioning
VP23	From PRoW S29/16 southwest of Hyde Crook	Construction, Year 1, Year 15 and Decommissioning
VP24	From Fore Hill PRoW S29/12 south of S29/9	Construction, Year 1, Year 15 and Decommissioning
VP25	From Macmillan Way/PRoW S29/19 within Site	Year 5
VP26	From Macmillan Way/PRoW S29/19 within Site	Year 5
VP27	From extended Hogs Cliff NNR on informal path alignment looking south-southwest	Construction, Year 1, Year 15 and Decommissioning
VP28	From Wessex Ridgeway/PRoW S29/6 at junction with A37, looking southsouthwest	Construction, Year 1 and Year 5

15.23 Minor visual effects were identified from VPs 7, with all other visual effects being identified as either negligible or no change.

15.24 In respect of **landscape effect**, the ES does not identify any significant effects. Moderate effects are considered in respect of:

- Land cover (trees and hedgerows) and grassland – at Year 15 and decommissioning the proposals are judged to enhance tree, hedgerow and grassland cover across the site with a Moderate beneficial effect.
- Public Right of Way and Open Access Land – Moderate adverse effects during the construction and decommissioning periods.
- Landscape Character within the site – During construction and decommissioning the proposals would introduce increased activity in the landscape and during operation the proposals would introduce built form into an area with little existing built development.

15.25 The Council's Senior Landscape Architect and the Dorset National Landscape Team disagree with the conclusions of the ES. Both disagree with the methodology adopted by the applicant's landscape consultant and consider it sets the bar too high resulting in visual effects being underestimated and several significant effects being excluded.

- 15.26 The Council's Senior Landscape Officer considers the proposals would not be consistent with the form, scale and pattern of the existing landscape. They are of the opinion the development would not maintain uninterrupted panoramic views within the National Landscape. The Officer considers the proposal would be at complete variance with the prevailing landscape character and the structure and alignment of the solar arrays would be clearly discernible (notably from VP3). In respect of the close-range VPs, the Dorset National Landscape Team considers that the suggested reduction in visual impacts from VPs 10, 25 and 26 from Major to Moderate (i.e. from major to clear deterioration of the view) by Year 5 is not realistic, due to factors including the limited time for planting to mature and the limited efficacy of screening in the winter months. Both the National Landscape Team and the Council's Senior Landscape Architect consider that the loss of extensive panoramic views from the site has not been adequately accounted for due to views northwards and north-eastwards being significantly impacted by the proposed landscaping and solar panels.
- 15.27 From longer range views, the Council's Senior Landscape Architect considers the proposals would introduce new skyline elements (VP4) and have a wider impact on Hog Cliff NNR due to the improved access and seating/viewing areas that have been introduced. The Dorset National Landscape Team disagree with the applicant's assertion that the visual effects would be localised and limited. Notably 14 VPs are judged by the applicant's landscape consultant to experience Moderate visual effects throughout the operation of the development (see Table 14.4 above). The Dorset National Landscape Team disagrees with the applicant that these impacts are not 'significant' and notes the applicant's assessment indicates the proposed mitigation is not anticipated to make a substantive difference during the lifetime of the development. Overall, the Dorset National Landscape Team considers the impacts on the National Landscape are considered to be substantially underrepresented with significant impacts considered from the expanded Hog Cliff National Nature Reserved (including VP5) and Fore Hill (VP3). The Dorset National Landscape Team further consider that the proposals would be of quasi-industrial appearance, would be in contrast and juxtaposition with the underlying 'natural' character of the site and its wider landscape setting and would foreseeably adversely affect some of the special qualities of the National Landscape.
- 15.28 Of relevance to the comments from the Council's Senior Landscape Architect and the Dorset National Landscape Team, it is noted that the Inspector for the dismissed appeal observed that the methodology of only 'major' effects being significant "would mean that the LVIA downgrades and underplays the significance of moderate impacts on the landscape..." and that "the inconsistency between the LVIA methodology and the overall ES (and SEI) methodology means that the appellant's evidence has tended to underestimate the impacts of the proposal." These deficiencies remain.
- 15.29 Natural England also objects. It considers the proposals will have long term significant adverse visual impacts on the National Landscape, including from viewpoints within the Hog Cliff NNR and the numerous parcels of OAL and PRoW. The proposals are not considered to serve to conserve, or enhance the special qualities or landscape and scenic beauty of the Dorset National Landscape and are therefore considered contrary to the policies and aims of the Dorset National Landscape Management Plan (Policies C2.d, C2.e and C2.f) and contrary to Local Plan policy ENV1 that seek to protect and enhance the natural beauty of the National Landscape.
- 15.30 The Planning Officer agrees with the Council's Senior Landscape Architect Dorset National Landscape Team that landscape and visual impacts have been underestimated. Owing to the sloping topography of the site on the south side of the Frome Valley, the visual effects would be apparent from a wide viewing arc. Despite the design changes from the appeal

scheme, the proposed solar farm would still be highly visible from a range of viewpoints and the proposed mitigation would be incapable of sufficiently moderating the visual effects over the 40-year lifetime of the development. The proposals would significantly adversely affect the character and visual quality of the landscape and the photomontages show the proposals would be clearly visible for what it is from a range of viewpoints included from the expanded Hog Cliff NNR. The **harm is judged to be significant, to which great weight be applied**. The proposals are considered to conflict with Local Plan ENV1.

Special qualities

- 15.31 In respect to the special qualities of the National Landscape, the Planning Officer disagrees with the applicant that the proposals would maintain **uninterrupted panoramic views** within the National Landscape.
- 15.32 Whilst the proposals would affect a relatively small part of the National Landscape, it is clear that the proposals would curtail opportunities for panoramic views from a large section of the Macmillan Way as it passes the solar farm (including from VPs 11, 25 and 26) for the lifetime of the development. The Dorset National Landscape Team consider that the montages from VPs 25 and 26 show a substantive loss of the far-reaching views that can presently be achieved towards the Purbeck Hills. The Council's Senior Landscape Officer observes that the photomontages clearly illustrate the likely disruption to existing views and do not show the 3.0m high pole mounted CCTV cameras proposed along the fence line. It is recognised that these panoramic views are only possible at certain times of the year depending on the type of crops being grown in the fields of the site. For example, during a site visit in August 2025, the Planning Officer observed that maize significantly limited visibility. However, such views would be restored following harvest. The publicly accessible area proposed to the north of the solar farm and the proposed permissive route to the west of the Macmillan Way are not considered to sufficiently compensate for the loss of uninterrupted panoramic views due to views being of lesser extent and complexity. Provision and maintenance of the permissive route and publicly accessible area may be reasonable to secure via Section 106 Agreement if the decision maker were to consider the mitigation to be sufficient and resolve to grant planning permission.
- 15.33 The Dorset National Landscape Team considers that overall, the **undeveloped rural character**, with a **sense of remoteness and tranquillity** are among the defining characteristics, with the site largely expressing these. As existing, modern development and intrusive features have a limited impact. Notably, as one moves through the site from north to south, aspects of tranquillity and remoteness increase. At the northern end of the site, in the vicinity of VP10, part of Maiden Newton is visible together with local farm buildings. The Planning Officer observed that vehicles were visible along the A37. Vehicles were also faintly audible from the northern part of the site alongside a natural soundscape of birds, leaves and livestock. As one moves to the south of the site, the sound of traffic dissipates and the lowlands of the valley floor, within which Maiden Newton sits, falls out of view. At the highest point of the site, in the vicinity of VP11, there is the strongest sense of tranquillity and remoteness owing to a natural soundscape and long-distance views with limited perception of urban development.
- 15.34 The proposals would introduce built development to the site which has been described as 'quasi-industrial' by the Dorset National Landscape Team. It would be recognisable as a solar farm from a number of VPs, including the elevated locations of Hog Cliff NNR (VP5) and Fore Hill (VP3) and surrounding areas which contain a number of other viewpoints. From closer range views where the solar farm and associated infrastructure (including fencing, substations and CCTV cameras) would be visible, the proposals would significantly undermine undeveloped rural character through the introduction of discordant built

development. This harm would be greatest immediately adjacent to the solar farm, particularly prior to the establishment of landscape screening. The landscape screening itself would limit the ability to appreciate long-distance views and thereby perceive the remoteness and undeveloped rural character of this part of the National Landscape. Visibility of 3m high pole mounted CCTV cameras would further reduce the perception of remoteness.

- 15.35 Consultation responses raise concern with noise impacts. Officers requested information from the applicant in respect of noise to justify the claim in the ES that the proposals would not generate any noise. In response, the applicant's Planning Statement Addendum states the substations would generate no noise and that the transformers and inverters would only generate a very low level of noise; a low hum. The applicant states that if someone can hear the noise of the transformers and inverters they would be trespassing and draws attention to the Solar Roadmap (2025), which notes solar farms "operate almost silently". Whilst noise impacts have not been quantitatively assessed, officers consider that the proposed development would be unlikely to have an adverse effect on auditory tranquillity due the distance between the transformers/inverters and PRoW (approximately 110m at the closest point).
- 15.36 Wildlife of national and international significance is a further special quality of the National Landscape. In this regard, the proposals would have a beneficial effect through the biodiversity net gains, tree planting and hedgerows which have potential to support wildlife including foraging and roosting bats, nesting birds and hedgehogs.
- 15.37 Overall, and taking into account the benefits to wildlife, it is considered that the proposals would harm the National Landscape's special qualities, including uninterrupted panoramic views, tranquillity and remoteness and undeveloped rural character in conflict with Local Plan policy ENV1 and the Dorset AONB Management Plan 2019-2024 (policy C2.e).

Exceptional circumstances

- 15.38 The NPPF (Para. 189) explains that great weight should be given to conserving and enhancing National Landscapes and that conservation and enhancement of wildlife and cultural heritage are also important considerations. Conversely harm to National Landscapes should be afforded great weight.
- 15.39 Paragraph 190 states that:
- "When considering applications for development within National Parks, the Broads and National Landscapes, permission should be refused for major development⁶⁷ 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."
- 15.40 For the purposes of Para. 190, 'major development' is defined as being a matter for the decision maker, taking account of the nature, scale and setting of the development, and whether it could have a significant impact on the purposes for which the area has been designated. The proposed development is considered to constitute major development

given the scale of the proposed solar farm and significant impacts on the natural beauty of the National Landscape. This view is consistent with the appeal scheme and is accepted by the applicant.

- 15.41 Accordingly, in line with Paragraph 190, it is necessary to assess whether the development would be in the public interest and whether exceptional circumstances exist, having regard to an assessment of a), b) and c).

Do exceptional circumstances exist?

- 15.42 Paragraph 190 of the NPPF is clear that the consideration set out at a), b) and c) are to inform the assessment of major applications within the National Landscape. This infers that major development may be justified by other exceptional circumstances in addition to the consideration of a), b) and c). Each is assessed in turn followed by consideration of other circumstances:

NPPF Para. 190 Part 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

- 15.43 The proposed solar farm would have an approximate generation capacity of 10MW, enough electricity to meet the electricity needs of approximately 5,142 homes. As such, the development would provide a valuable source of renewable energy which would help to tackle climate change, contribute towards net zero and support energy security.
- 15.44 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 COM11 of the adopted Local Plan. Paragraph 168 of the NPPF states, among other requirements, that Councils should not require applicants to demonstrate the overall need for renewable energy, and give significant weight to the benefits associated with renewable energy generation and the proposal's contribution to a net zero future. The need for renewable energy development is therefore accepted and is urgently required at an international, national and local level. The Council has declared a Climate and Ecological Emergency and recognises it needs to deliver at scale to achieve objectives. Responding to the climate and nature crisis is a strategic priority of the Council. The provision of renewable energy and the associated benefits is therefore considered to carry **significant weight** consistent with the Council's Interim Guidance and Position Statement (2023). Despite this urgent need, it is concluded through the assessment that follows that the contribution of the development towards both national and local needs for renewable energy is not essential (as was concluded by the appeal Inspector, Para. 155) given the need is considered capable of being met in other ways.
- 15.45 If the development is permitted, there would be a range of beneficial effects on the local economy through job creation during the construction period (up to 6-months), 40-year operation and 6-month decommissioning period of the solar farm. These temporary jobs would be wide-ranging, including construction workers, solar farm technicians and maintenance staff, and agricultural employees associated with the maintenance of the landscaping and sheep farming within the enclosure of the solar farm.
- 15.46 The applicant has estimated that the proposals would deliver a wide range of socio-economic benefits through job creation, spending by employees and investment in the local economy (see Table 13.1). The Council's Economic Development Team notes the estimates seem reasonable and the most important figures for Dorset are the c. 6FTE gross

jobs estimated to be created in Dorset associated with operations and maintenance over the 40-year lifetime of the development and the 55 gross person-years of employment in Dorset during the construction phase. Officers also consider that the 3.7 gross person years associated with decommissioning are also important. Further indirect beneficial effects on the local economy would accrue through spending by employees, a proportion of which would be captured within the local economy. The proposals would also support a growing sector within the UK economy.

- 15.47 The NPPF (Para. 85) states significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. However, as established in case law⁴, this does not give blanket assignment of significant weight to all economic benefits and instead affords significant weight to the objective of supporting economic growth and productivity. Taking into account the extent of the benefits, and noting the solar farm proposals do not predominantly support economic growth and productivity, the socio-economic benefits are considered to carry **limited weight** in the planning balance. Whilst the associated effects on the local economy would be beneficial, given their temporary nature and limited number, the jobs are not considered to be crucial for the local economy.
- 15.48 Additionally, the applicant advises the proposal would help to diversify the existing farm by providing a reliable income stream of approximately £50,000 per year to the farmer by diversifying their income. Whilst no evidence has been submitted to indicate that the solar farm is needed from a viability perspective, the contribution has potential to support the ongoing management of the farm and wider rural economy. Diversification is broadly supported by the NPPF (Para. 88). At a local level, policy ECON8 supports diversification projects where they are in keeping with rural character and comprises ancillary development that relates well to existing development. This is subject to the proposed diversification making an on-going contribution to sustaining the enterprise. For the reasons set out above, the proposals are not considered to be in keeping with rural character and there is therefore conflict with policy ECON8. Nevertheless, diversification of the farm to accommodate a solar farm is considered to carry limited positive weight in the planning balance. Should the decision maker resolve to grant planning permission, it may be appropriate to seek to secure the on-going contribution to the farm by way of a Section 106 Agreement if the contribution is considered necessary to make the development acceptable in planning terms.
- 15.49 If the proposal were to be refused, the agricultural use of the site would likely continue. This would support a limited number of agricultural jobs.
- 15.50 In summary, there is a need for the development and the beneficial effects of approving the development on the local economy are considered to be afforded **limited weight**. The proposal would make a valuable contribution to cutting greenhouse gas emissions, tackling climate change, responding to the climate emergency and contributing towards energy security. This carries **significant positive weight**.

NPPF Para. 190 Part b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way

The cost of, and scope for, developing outside the designated area

⁴ Bewley Homes PLC v Secretary of State for Levelling Up, Housing and Communities & Anor [2024] EWHC 1166 (Admin) (16 May 2024)

- 15.51 The Council's Planning for Climate Change Interim Guidance and Position Statement (December 2023) states that where the siting of a development is informed by grid connection and capacity, applicants will need to justify the proposed location through submission of details explaining how this has informed the site selection, including a viability assessment of alternative options and locations (Para. 3.3).
- 15.52 The site is located entirely within the Dorset National Landscape. The proposed point of connection (POC) to the electricity distribution network is located approximately 60m from the application site boundary, close to Cruxton. The POC is approximately 5.8km from the closest boundary of the Dorset National Landscape. Therefore, if the POC were to be utilised to serve a solar farm outside of the National Landscape cabling would need to extend a minimum of 5.8km (as the crow flies). The actual length of cabling would likely be significantly longer than 5.8km given cabling would not be installed in a straight line.
- 15.53 The application is supported by a Sequential Analysis Study (SAS) (dated November 2021) which was submitted in association with the earlier planning application (P/FUL/2021/01920). The study was primarily prepared 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 from the site to assess potential availability of alternative sites. The SAS advises that the Electricity System Operator (ESO) has confirmed that there is sufficient capacity for the solar farm and that a 3km study area from the site was chosen given it is necessary for the solar farm to be located within proximity of the electricity network. The SAS considers a total of 22 alternative sites all of which were subject of the National Landscape designation owing to the site being approximately 5.8km deep into the National Landscape. The SAS does not assess other sites or POCs where there may be capacity for the development, for example within the plan area outside of that 3km catchment.
- 15.54 The applicant's Planning Statement notes that additional distance from a POC decreases viability due to the additional costs of cables, their installation, greater third party landowner negotiations, environmental management and mitigation. This is accepted. The Planning Statement (Para. 6.22) also notes that within the Maiden Newton area, the grid remains highly constrained and investigations into available capacity on areas outside of the National Landscape reveal no suitable sites – only sites that would have been too costly to connect to the grid which would have made the project unviable. This claim is undermined by the fact that the applicant submitted a planning application for a slightly larger 12MW solar farm at land south of Motcombe Road, Motcombe, in June 2025 (P/FUL/2025/03674). That site lies approximately 150m west of the Cramborne Chase and West Wiltshire Downs National Landscape at its closest point. Whilst the application is currently under officer consideration, the submission indicates that the applicant considers the development to be viable and there may be scope, subject to planning, to develop a solar farm of similar scale outside of the National Landscape.
- 15.55 Officers also note that there is a live planning application for a significantly larger 40MW solar farm with 20MW battery energy storage system (BESS) on land at Caswell Farm, Sherborne, also outside of any National Landscape designation (P/FUL/2025/03066). Further large-scale low-carbon and renewable energy projects have also been granted in recent years outside of the National Landscape, including the following since 2023:

Table 14.5 – Large-scale renewable and low-carbon permissions since 2023

Application Reference	Location	Capacity (MW)	Decision
P/FUL/2021/02046	Park Farm, Gillingham	45MW Solar farm	Appeal allowed February 2023

P/FUL/2022/02429	Galton Manor Farm, Owermoigne	30MW Solar farm	Granted March 2023
P/FUL/2021/01018	North Dairy Farm, Pulham	49.99MW Solar farm	Granted January 2024
P/FUL/2023/06578	Holt Road, Three Legged Cross	47.5MW BESS	Granted July 2024
P/FUL/2023/02819	Post Farm, Lytchett Minster	32MW BESS	Granted November 2024
P/FUL/2023/04657	Chickerell Court Farm	400MW BESS	Granted January 2025
P/FUL/2024/04447	Land North of Eweleaze Spinney, Chickerell	50MW BESS	Granted April 2025
P/FUL/2023/03415	Woodlands Manor Farm, Horton	30MW Solar Farm	Granted May 2025
P/FUL/2023/02829	North Farm, Horton	19.88MW Solar farm	Granted May 2025

**Totals 704.37MW solar and BESS
174.87MW solar**

- 15.56 This further suggests there is scope to develop solar farms and other energy projects outside of the National Landscape within Dorset.
- 15.57 In relation to the appeal scheme, the Inspector concluded that the megawattage available at the POC would not justify the cost of a connection to a site outside the National Landscape, and so there was no need for viability evidence to be provided to demonstrate that any site making use of POC would be limited to a radius of 3km (Para. 154). Despite the absence of viability evidence, given the megawattage of the proposed solar farm has reduced by approximately 15% (from 11.8MW to 10MW) compared to the appeal scheme, it is accepted that development of a solar farm of similar scale outside of the Dorset National Landscapes would not be viable if the proposed POC were to be utilised.
- 15.58 The Inspector for the appeal concluded that “in a constrained grid, capacity should be used wherever possible” (Para. 153). This was informed by the Inspector’s assessment that the “primary substation in the Maiden Newton area was one of the few anywhere in Dorset outside the built-up area of Bournemouth itself identified as having unconstrained capacity to accept generation” (Para. 152).
- 15.59 During the assessment of this application officers invited the applicant to elaborate on the constrained nature of the grid in the Maiden Newton area and the investigations it had undertaken to assesses available capacity in areas outside of the National Landscape to inform the conclusion that there were no suitable alternative sites. Information was requested in respect of current capacity within the network, the extent of search, and scope and feasibility to site the solar farm within less sensitive parts of the National Landscape and outside of the National Landscape. The applicant’s Planning, Design and Access Statement Addendum states that the grid remains constrained and that no locations outside of the National Landscape were viable due to the small scale of the scheme and the distance cabling would need to be installed from the proposed POC to outside the National Landscape.

- 15.60 In the absence of further information from the applicant, officers have considered SSEN's Network Maps⁵; which were reviewed by the Inspector to assess the appeal scheme. At the time of writing this report, SSEN's Network Maps do not show any 'unconstrained' Grid Supply Points (GSPs), Bulk Supply Points (BSPs) or Substations within the administrative boundary of Dorset Council. This indicates a highly constrained grid across Dorset. The only 'partially constrained' supply point and/or substation is the Chickerell substation. The Maiden Newton substation is shown as being 'constrained' (with a 'constrained' up-stream status and 'unconstrained' downstream status). This indicates that whilst the distribution network may have capacity to accept new connections, the transmission network is limited and poses a constraint. SSEN's Network Maps show that all other substations across the administrative area of Dorset Council share the same status as the Maiden Newton substation (i.e. 'constrained' with a constrained up-stream status and 'unconstrained' downstream status). There are a number of substations located both within and outside of National Landscape designations, including substations at Cerne Abbas, Piddletrenthide, Yetminster, Charminster, Dorchester, Redlands, Weymouth and Portland. On this basis the status of the grid in Maiden Newton is typical of the rest of Dorset and is not unique.
- 15.61 Based on the above there is considered to be reasonable scope to develop a solar farm outside of the National Landscape if an alternative POC were to be used. Nevertheless, officers recognise that in the absence of a confirmed connection, timescales for securing a connection could be significant. The presence of a POC is afforded **limited positive weight** in decision making given it would enable the proposed solar farm to be rapidly deployed.
- 15.62 The cost of developing outside the designated area is unclear and has not been assessed by the applicant or officers. Nevertheless, the submission of solar applications outside of the national landscape tends to suggest that there are viable alternatives.

Cost of, and scope for, meeting the need for it in some other way

- 15.63 The NPPF (Para. 168) states that Council's should not require applicants to demonstrate the overall need for renewable energy. Nevertheless, the need for the proposed development is necessary in respect of assessing whether exceptional circumstances exist.
- 15.64 Section 14 of this report provides context to the drive to tackle the climate crisis and work towards energy security. At a national level, the Government is aiming to achieve clean power by 2030. To achieve this an increase in solar provision from 15GW to between 45-47GW of solar is targeted. A fivefold increase in solar is targeted by 2035. At a local level, the Council has supportive policies to seek to deliver renewable energy and has established targets to become carbon neutral.
- 15.65 The Inspector for the dismissed appeal considered the Dorset Low Carbon Energy Route Map and Evidence Base 2021 (the Regen report) within his report. He inferred that it gave a general idea of the scale of renewable energy provision and what is required to achieve net zero in Dorset by 2050 (Para. 145). However, as the Regen report covers the administrative areas of both Dorset Council and Bournemouth, Christchurch and Poole Council (BCP), officers are unclear how these conclusions were reached for the administrative area of Dorset Council, or the Local Plan area of West Dorset, Weymouth and Portland.
- 15.66 The Inspector identified (Para. 149) a 300MW shortfall between installed/planned capacity and the target of 1500MW by 2050 outlined within the Regen report. In recommending that the appeal be allowed to the Secretary of State, the Inspector concluded that "...the need

⁵ <https://network-maps.ssen.co.uk/> accessed 15 September 2025

for renewable energy generation could not be met in other ways, that the appeal proposal would make an essential contribution both to the accepted national need for renewable energy and to Dorset's need and that the cost of, and scope for meeting the need for it in some other way would be prohibitive in the short to medium term" (Para. 155). The applicant contends that this conclusion remains valid.

- 15.67 During the assessment of this application officers invited the applicant to provide further information on the scope and feasibility to site the solar farm within less sensitive parts of the National Landscape and outside of the National Landscape. Officers suggested that the applicant approach this in a similar way to how the submitted Suitable Alternative Sites Assessment looks at best and most versatile agricultural land given the Planning for Climate Change: Interim Guidance and Position Statement (2023) requires clear reasoning to justify the siting of proposals within the National Landscape (Para. 3.2.23). The applicant's Planning, Design and Access Statement Addendum does not consider any alternative POCs outside of the National Landscape and the applicant has not identified whether other, less sensitive sites exist within a viable proximity of the proposed POC.
- 15.68 Whilst at a very early stage of consultation, the emerging Dorset Local Plan identifies proposed areas of opportunity for onshore wind turbines, ground mounted solar and battery energy storage systems. The consultation document (Appendix D: Opportunity areas for renewable energy) confirms the Council has undertaken a strategic assessment of the potential for these three types of development, including technical considerations such as wind speed and grid connection. The proposed opportunity areas are informed by assessment of landscape sensitivity, including sites within Dorset's two National Landscapes. Whilst the assessments within the emerging draft Dorset Local Plan is high-level, and individual applications would need to be assessed on a site-by-site basis, it identifies a range of potentially suitable opportunity areas for:
- Medium (5-15MW) and small scale (1-4MW) solar farms
 - Small, medium and large wind turbines - ranging from 25 to 150m blade tip height
 - Larger (500MW to 1GW) and smaller scale (100MW to 500MW) BESS sites
- 15.69 Extensive opportunity areas are identified both within and outside the Dorset National Landscape. Apart from some land to the west of Beaminster (which is identified as being potentially suitable for medium scale solar development), land designated as National Landscape is not identified as being potentially suitable for medium scale solar farms or large scale wind turbines. Whilst this indicates there may be scope for meeting renewable energy needs in other ways, limited weight can currently be afforded to the emerging Local Plan given its early stage of preparation.
- 15.70 In assessing the extent to which the need to provide renewable energy could be met in other ways, it is also relevant to note the Labour Government's changes to the NPPF of July 2024⁶. The changes removed the restriction that onshore wind could only be considered acceptable in areas either allocated in a development plan or through Local Development Orders, Neighbourhood Development Orders and Community Right to Build Orders. As no such allocations or orders existed at the time of the appeal, the policy change substantially increases the ability to meet renewable energy needs in other ways through provision of onshore wind. Such opportunities were not possible at the time of the previous appeal given onshore wind development was restricted by the NPPF.

⁶ Policy Statement on onshore wind (8 July 2024)

- 15.71 Ongoing reform of the grid connections queue from a ‘first-come, first-served’ system to a ‘first-ready, first-served’ approach seeks to further increase opportunities to meet renewable energy demands in other ways with less significant delays. The reforms approved by Ofgem in April 2025 aim to remove so-called ‘zombie’ projects which hold up the queue for connection to the electricity grid in place of viable renewable energy projects. It involves reorganisation of the grid connections queue to prioritise those projects which are ready to deliver and most critical to the success of the Clean Power 2030 goals. Indeed, Energy Secretary Ed Miliband has confirmed “we have enough energy projects in the grid connection queue to deliver clean power by 2030, but many are stuck behind speculative schemes, leading to delays of up to 10 years. These reforms are critical to deliver clean power by 2030, which will bring forward an estimated £200 billion of private investment.”⁷ This indicates there is scope to meet, at least 2030 needs, in other ways.
- 15.72 The cost of meeting renewable energy demands in other ways is unclear and has not been assessed by the applicant or officers. Nevertheless, the submission of applications for renewable and low carbon energy developments outside of the national landscape tends to indicate that there are viable alternatives.
- 15.73 Overall, it is concluded that there is scope to meet the need for renewable energy in some other ways and the scope to do this has increased since the time of the appeal.

Would the development be in the public interest?

- 15.74 National Landscapes are an important resource, and their protection is in the public interest. Similarly, provision of additional renewable energy generation capacity and associated contributions towards tackling climate change, reaching net zero and working towards energy security are also in the public interest. On balance, the proposal is not considered to be in the public interest and exceptional circumstances have not been demonstrated.

Para. 190 Part c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated

- 15.75 As assessed above, the proposals are considered to result in significant harm to landscape character, visual amenity and the special qualities of the National Landscape. The harm is capable of being moderated to some degree through the proposed mitigation measures, notably hedge and tree planting which would mature over time and to reduce landscape and visual effects. Owing to the sloping topography of the site and presence of PRoW and OAL within the vicinity, significant landscape and visual effects are considered to remain over the lifetime of the development. The impacts are considered to be disproportionate to the scale of the solar farm.
- 15.76 The proposed permissive route to the west of the site would provide some compensation for the loss of recreational amenity on the site due to the reduced attractiveness of existing routes. The Secretary of State concluded in respect of the dismissed appeal that: “the harm to the recreational benefit of the Macmillan Way would not be adequately mitigated as the alternative permissive route would not provide a view of equivalent panoramic value to that which would be lost”. To enhance the recreational benefits, the applicant has proposed a publicly accessible picnic area in the northern field, widened route along the adjacent

⁷ Ofgem, February 2025 (<https://www.ofgem.gov.uk/press-release/clean-power-2030-one-step-closer-proposed-new-fast-track-grid-connections-system-unveiled>)

PRoW and reduced the extent of the solar farm. Whilst these further measures make a meaningful contribution towards seeking to mitigate recreational impacts, they are not considered to wholly compensate for the adverse recreational impacts given the degradation of the existing route, absence of equivalent panoramic views and limited benefit of the proposed picnic area. Despite the extensive landownership of the landlord, no further improvements have been proposed. As a result, the proposal is considered to conflict with Local Plan policy COM7 part v) which states developments should not result in the degradation of existing routes and, where development degrades from the attractiveness of a route, compensatory enhancements will be sought such that there is a net improvement to the PRoW network. The harm is attributed **moderate weight**.

- 15.77 Further, for the reasons set out above, Officers do not consider that the National Landscapes duty in Section 85 of the Countryside and Rights of Way Act is met.

Heritage

- 15.78 The proposed development falls within the setting of a number of heritage assets including the grade II* West Cruxton Farmhouse, grade II listed Manor Farmhouse, grade II listed Dairy Cottage, and Grade II Listed No.s 1 and 2 Cruxton Cottages. The application site also falls within the setting of two bowl barrows, Grimstone down and Field System W of Fore Hill.
- 15.79 The applicant has submitted the Heritage Desk-Based Assessment (2021) undertaken for the previously refused planning application. It adequately describes the significance of the heritage assets. For the nearby listed buildings the significance of heritage assets relates to the special architectural interest and the historic interest and built form and fabric. The immediate setting of the listed buildings makes a positive contribution to the assets. For Notton Bridge, the functional relationship with the River Frome and the Dorchester Road are important.
- 15.80 The significance of the Scheduled Monuments is predominantly derived from the archaeological and historic interest of their earthwork and buried remains.
- 15.81 The Council's Senior Conservation Officer concludes the proposals would not harm the special architectural/historical significance of heritage assets. In respect of the nearby listed buildings, 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 Cruxton Manor. There is a historical connection in landholding between Dairy Cottage and the site however this connection would not be materially changed by the proposals to the extent that setting is affected. The proposals are not considered to adversely affect the significance of any listed buildings.
- 15.82 Owing to the topography of the land and limited visibility, the site is not considered to contribute to the setting of the bowl barrows to the south east and south west of the site, nor the Frampton Roman Villa or Later Iron Age or Romano-British settlement. The proposed development would be visible in distant views from Grimstone Down and the Field System west of Fore Hill (see LVIA Viewpoints 16 and 29). The Council's Senior Conservation Officer, in consultation with the Council's Senior Archaeologist, recommended consultation with Historic England in respect of impacts on scheduled ancient monuments. In the absence of any substantive comments from Historic England, it is the planning officer's view the proposals would not adversely affect the setting of any scheduled ancient monuments, due to the distance of the site from these assets and due to the setting of the assets being more locally defined by the immediate landscape setting.

15.83 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 214 nor 215 of the NPPF is considered to be engaged. As such the proposals also accord with policy ENV 4 of the Local Plan.

Residential amenity

- 15.84 Local Plan policy COM11 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.
- 15.85 The site lies in a predominantly agricultural landscape, 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). 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.
- 15.86 The submitted Glint and Glare Study is based on the previously refused development (P/FUL2021/01920). As this occupied a larger site area with a similar arrangement of solar panels, it is considered to represent a robust assessment for the purposes of this application. It confirms that five dwellings would experience more than 3 months of glare per year (but less than one hour per day). However, views of the proposed development would be limited by intervening screening in the form of existing and proposed vegetation and terrain. Therefore, the overall impact is predicted to be low.
- 15.87 As noted in the landscape section above, noise is not considered to materially affect users of the adjacent right of way. It would not therefore have an adverse effect on residential amenity.
- 15.88 Subject to appropriately worded conditions, impacts of construction could be appropriately managed.
- 15.89 Given all of the above the impact on neighbouring amenity is not considered to be significant and the proposal is considered to accord with policy ENV 16 of the Local Plan and the residential amenity test within policy COM11. Appropriate conditions would be required in respect of construction management.

Highways

- 15.90 Highway impacts would predominantly be at the construction stage. There would be limited associated vehicle movements during the operation of the solar farm.
- 15.91 The primary construction access would be from an existing farm access off Greenford Lane to the west of the site, and a minority of construction traffic would be routed along Cruxton Lane to the north of the site. The Construction Traffic Management Plan (CTMP) shows the majority of construction traffic using the existing farm access on Greenford Lane and therefore access the site from the south.
- 15.92 Dorset Highways raise no objection and note the proposal does not present a material harm to the transport network or to highway safety. National Highways note the CTMP reflects

what was previously agreed under the refused application. Subject to securing the implementation of the CTMP through a suitably worded planning condition National Highways have no objection and are of the view the proposals would minimise the risk to trunk road traffic during construction to an acceptable degree. National Highways also recommend 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 planning permission is granted.

- 15.93 Furthermore, given the application is for the temporary 40-year use of the site as a solar farm following which it would be decommissioned and restored to agricultural use, it is reasonable and necessary to secure a Decommissioning Traffic Management Plan (DTMP) as part of the necessary Decommissioning Method Statement. A condition is also reasonable in respect of the surfacing of the temporary construction access. Subject to conditions, the proposals are therefore considered acceptable in respect of vehicle highway impacts and highway safety in compliance with parts i) to iv) of Local Plan policy COM7 and the NPPF.

Biodiversity

- 15.94 An Ecological Assessment Report 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, proposed tree belt planting to the north of the solar farm and the planting of new hedgerows to the south and west of the solar farm enclosure. An area of proposed grassland located within the south-west corner of the site and an area of wildflower meadow is proposed to the north of the solar farm alongside the proposed picnic area. Further grassland is proposed outside of the solar enclosure and the grassland within the solar enclosure around the panels and solar infrastructure proposed to be subject to conservation grazing. 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.
- 15.95 The Dorset National Landscape Team note in their consultation response that 'wildlife of national and international significance' is listed amongst the special qualities of the National Landscapes and should biodiversity consultees identify gains that are likely to be beneficial for designated sites and protected species, in particular, these could be linked to this special quality. In this regard, the proposals would have a beneficial effect through the biodiversity net gains, tree planting and hedgerows which would support wildlife.
- 15.96 The agreed LEMP includes a biodiversity net gain assessment which shows clear net gains of +41.71% habitat units and +20.95% hedgerow units, substantially above the statutory requirement of 10% BNG. As explained within the LEMP, this is largely down to low value agricultural habitats being replaced with higher value modified or neutral grassland that can readily be managed to achieve at least moderate condition. For linear units, the gains are due to native species rich hedgerow planting and infilling.
- 15.97 The gains are significantly lower than those considered by the Planning Inspector and SOS in relation to the dismissed appeal (+71.05% habitat units and +26.76% hedgerow units); which were attributed moderate weight. In the context of the declared ecological and nature emergencies, and strengthened biodiversity duty, the BNGs are afforded **moderate weight**.
- 15.98 Planning conditions would be placed on any approval granted for the development to be carried out in accordance with the LEMP and Ecological Assessment Report. Statutory BNG would be secured by the standard BNG condition and habitat management and

monitoring would likely need to be secured through a post-determination legal agreement. A condition in respect of any external lighting is also reasonable in the interest of ecology and dark skies.

- 15.99 Given all of the above the proposal is considered to comply with Local Plan policy ENV 2, wildlife and habitats.

Trees

- 15.100 A number of trees and hedgerows are present across the site, including a copse of native woodland in the northeast corner of the site. Adjoining the southwestern corner of the site lies a beech and sycamore woodland. Hedgerows, including trees, form the field boundaries of the site and a hedgerow divides the northern and southern field.
- 15.101 The submitted Arboricultural Impact Assessment and Method Statement identifies 28 trees, groups of trees, woodland and hedgerows which have been surveyed. They comprise one Category A (high quality) Tree Group, 17 Category B (moderate quality) trees, groups of trees, woodlands and hedgerows, and ten Category C (low quality) trees and groups of trees. The assessment notes that the progression of Ash Dieback disease has meant that most of the groups of trees previously identified as high quality in the 2021 Tree Survey have been downgraded. The latest assessment notes that once infected, the majority of Ash trees will die, although a few trees may survive the infection because of genetic factors which give them tolerance to the disease.
- 15.102 Limited arboricultural impacts would arise due to the running of underground cabling along the access track between the POC and solar farm. Some hedgerow removals would be required to widen existing field accesses to facilitate construction access and a short section of the hedgerow between the two fields (ref. H5) is proposed to be removed to enable installation of fencing. No trees are proposed to be removed. The Arboricultural Impact Assessment and Method Statement establishes how existing trees would be protected over the course of construction.
- 15.103 The proposed Landscape Strategy plans show that significant landscaping would be provided across the site, including 53 new standard sized trees and extensive new hedgerows.
- 15.104 The Council's Tree Officer has no objection subject to the works being carried out in accordance with the submitted Arboricultural Impact Assessment and Method Statement. Subject to this condition, and conditions in respect of the provision and maintenance of proposed landscaping, the works are acceptable in respect of trees.
- 15.105 The impact on trees is considered to be neutral in the planning balance.

Flood risk and drainage

- 15.106 The application site is located within Flood Zone 1 – defined as land with the lowest risk of flooding. The site is not affected by medium or high risks of surface water flooding.
- 15.107 A Flood Risk Assessment (FRA) which includes surface water management was submitted as part of the application. The Solar panels are not considered to introduce impermeable area as they would be raised above ground and allow retention of greenfield conditions. Whilst some limited areas of hard standing would be created, the extent is negligible given the scale of the site and not considered to materially increase surface water run off.
- 15.108 The Environment Agency were consulted on the application and raise no objection to the proposal subject to a planning condition securing a Construction Environment Management

Plan (CEMP) related to pollution control measures. The Council's Flood Risk Management Team consider that the submitted FRA adequately details the potential risks posed by solar farms from a drainage and flood risk perspective. The Flood Risk Management Team note the proposals have potential to reduce runoff by slowing water runoff and promoting infiltration. This is reliant on maintaining a permanent ground cover across the site. Conditions in respect of the detailed surface water management scheme and a Soil Management Plan are recommended. The latter condition is recommended to seek to prevent the over compaction of soil which could increase risks of flooding through increased run off. With these conditions in place, the proposals are considered to be acceptable in accordance with Local Plan policy ENV5 and the NPPF.

Other Matters

Environmental Impact Assessment (EIA)

- 15.109 The Environmental Impact Assessment Officer has reviewed the submitted documents, including revised information submitted, and has confirmed the Environmental Statement contains all the required information for the submitted planning application.

Decommissioning

- 15.110 A suitably worded planning condition to secure appropriate decommissioning of the site would ensure that infrastructure is removed at the end of the 40-year period or within 6 months of the cessation of electricity storage and distribution by the facility (whichever is the sooner).

16. Summary of issues and the planning balance

- 16.1 Local Plan policy COM11 states that proposals for renewable energy generation will be allowed wherever possible providing that the benefits of the development, such as the contribution towards renewable energy targets, outweigh any harm. In addition, it states that permission will only be granted where aspects related to landscape, residential amenity and ecology can be satisfactorily addressed.
- 16.2 The NPPF (Para 190) states that planning permission for major development within National landscapes should be refused other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest.
- 16.3 The following table sets out the planning considerations both in favour and against the development, and the weight afforded to these in the planning balance.
- 16.4 In the interests of clarity, in ascribing weight to the planning considerations in favour and against Planning Officers have used the following scale: **none, very limited, limited, moderate, significant.**

Table 16.1 – Planning balance

Consideration	Weight	Reasons
Positive weight in favour		
Contributing towards the provision of renewable energy,	Significant	10MW solar farm will produce a moderate contribution to renewable energy production and achieving climate targets.

tackling climate change and energy security		Would serve the equivalent annual electricity needs of an estimated 5,142 households.
Ecology, BNG and trees	Moderate	Limited loss of hedgerows and no loss of trees. Substantial tree and hedgerow planting. BNG of +41.71% habitat units and +20.95% hedgerow units (in excess of 10% requirement). Responding to declared ecological and nature emergencies.
Grid connection	Limited	Confirmed grid connection enables rapid energisation of the solar farm and early delivery of renewable energy benefits.
Economic benefits and the effect of approving the development on the local economy	Limited	Construction jobs during construction phase of up to 6-months (77 gross / 61 net person years of which 55 gross / 23 net could take place in Dorset) Operational and maintenance jobs during 40-year lifetime of development (6.6 FTE gross / 5.2 FTE net of which 5.9 FTE gross / 3.9 FTE net could take place in Dorset) Decommissioning jobs during the 6-month decommissioning (3.7 gross / 2.9 net person years of which 3.7 gross and 1.6 net could take place in Dorset) Wages a proportion of which would be spent locally (£7.7m gross / £6.1m net of which £5.8m gross / £2.6m net could take place in Dorset) Gross value added (£12.5m gross / £10m net of which £9.7m gross and £4.1m net could take place in Dorset).
Farm diversification	Limited	Diversifying an existing farm through providing a reliable income stream estimated to be approximately £50,000 per year to the farmer.
Temporary use of land	Very limited	Lifetime of development would be up to 40 years excluding construction and decommissioning periods.
Neutral (no weight)		
Heritage assets	None	No adverse effects on designated or non-designated heritage assets.
Flood risk	None	Acceptable subject to conditions.
Residential amenity	None	Limited to glare. No significant adverse effects.
Highways	None	Acceptable subject to conditions.
Business rates	None	In line with ratable value. Not a material consideration.
Community benefit fund	None	£20,000 to Parish Council. Not a material consideration.
Adverse weight against		
Landscape and visual impact and harm to the Dorset National Landscape	Significant	Significant adverse landscape and visual effects over a large area. Many adverse effects would persist for the lifetime of the development due to the limited ability of landscaping to mitigate the effects.

		Harm to special qualities of the National Landscape. The ability to develop a solar farm outside of the National Landscape or meet the needs for renewable energy development in some other way have not been demonstrated. There appears to be reasonable scope to develop a solar farm outside of the National Landscape. The constrained nature of local grid is typical in Dorset. Exceptional circumstances not demonstrated. Great weight applied to the significant harm. Development would not be in the public interest.
Harm to public rights of way, including Macmillan Way	Moderate	Alternative permissive route to the west of the site and proposed rest/picnic area would not adequately mitigate impacts on public rights of way.
Agricultural	Limited	Limited loss of the potential to use best and most versatile agricultural land for more productive arable uses over the lifetime of the development vs. improved soil quality due to sheep farming and resting of soil from intensive.

- 16.5 The assessment the planning application concludes exceptional circumstances do not exist and the approval of the development would not be in the public interest. On balance, the benefits of the development are not considered to outweigh the harm. The application is therefore recommended for refusal.

17. Recommendation

- 17.1 Refuse planning permission for the following reasons:

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 National Landscape and existing public rights of way. The impacts would not be sufficiently mitigated contrary to policies ENV1, COM7 and COM11 of the West Dorset, Weymouth and Portland Local Plan (2015). The proposal constitutes major development in the Dorset National Landscape and exceptional circumstances to justify the development have not been demonstrated, and, owing to the impacts on the National Landscape, granting of the proposals is not considered to be in the public interest, in conflict with Para. 190 of the National Planning Policy Framework (2024). The benefits of the proposal are not considered to outweigh the harm of the development, failing to comply with Local Plan policy COM11 and the Dorset AONB Management Plan 2019-2024.

Informatives:

1. Informative: Plans

The plans that were considered by the Council in making this decision are:

P007005-12-SiteLocation Rev B Site Location Plan

P007005-02-PlanningLayout Rev H Planning Layout

P007005-04-ArraySections Rev A Array Section Views

P007005-13-CustSubSections Rev B Customer Substation Section Views

P007005-14-DNOSSubSections Rev A DNO Substation Section Views

P007005-15-FenceSections Rev A Fence Section Views

P007005-16-TXStationSections Rev B Transformer Station Section Views

P007005-17-CCTVSections Rev A CCTV Section Views

E206/01 Rev C Preliminary Drainage Arrangements

P24-2775_12-1 Rev B Landscape Strategy (Sheet 1 of 4)

P24-2775_12-2 Rev B Landscape Strategy (Sheet 2 of 4)

P24-2775_12-3 Rev B Landscape Strategy (Sheet 3 of 4)

P24-2775_12-4 Rev B Landscape Strategy (Sheet 4 of 4)

2. Informative: National Planning Policy Framework

In accordance with paragraph 39 of the NPPF the council, as Local Planning Authority, takes a positive approach to development proposals and is focused on providing sustainable development. The council works with applicants/agents in a positive and proactive manner by:

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

In this case:

- Pre-application advice was provided.
- The applicant was advised that the proposal did not accord with the development plan and that there were no material planning considerations to outweigh these concerns.
- The applicant and council have worked together to minimise the reasons for refusal.

Application No: P/VOC/2023/02551
Site Address: Lyme Regis Golf Club Timber Hill Lyme Regis Dorset DT7 3HQ
Proposal: Modification of conditions of planning permission 1/D/13/000972 for improvements to existing golf driving range and practice area including amended scheme for the re-profiling of the playing surface through the importation and placement of uncontaminated sand, naturally occurring soils and inert waste (Variation of condition 3 of p.p. WD/D/17/000991– (Time Limit – Completion of Development) to extend the end date to 18/08/2023).
Applicant Name: Hansford Construction Ltd
Case Officer: Alice Paine
Ward Members: Cllr Bawden, Cllr Christopher

Publicity expiry date:	12 June 2023	Officer site visit date:	21/05/2025
Decision due date:	26/09/2025	Ext(s) of time:	26/09/2025
No. of Site Notices:	1		
SN displayed reasoning:	To inform local residents and highway users of the proposed development		

1. **Reason Application is Going to Committee**

Objection from Uplyme Parish Council.

2. **Summary of Recommendation**

Grant planning permission subject to conditions set out in section 17.

3. **Site Description**

- 3.1. This site comprises a 5 hectare field and associated access points situated approximately 3km north of Lyme Regis on the western side of the A3052. This road provides the main connection between Lyme Regis and the A35. Access to the driving range is from two points on the A3052, with customer car park access approximately halfway along the site's road frontage and landfill access from a second point on the northern boundary connected to the A3052 by a short section of private road.
- 3.2. The site lies on the eastern side of the Harcombe Valley with the land falling away to the west before rising up towards Rhode Hill on the opposite side of the Valley towards Uplyme. The application area is currently occupied by a mature hedgerow which provides screening for the field's driving range and landfilling activities. The county boundary with Devon runs through the Harcombe Valley approximately 600m west of the site.
- 3.3. The site lies within the Dorset National Landscape, which continues into the East Devon National Landscape at the boundary. It is also within the Wotton Hills Landscape Character Area, characterised by a patchwork of arable fields. There is tarmac footpath on the eastern side of the A3052 opposite the application site which runs through to the A35. This serves as an alternative route to the diverted South West Coast Path National Trail and this would cross the front of the application site.
- 3.4. The site in its current state is unfinished, with the reprofiling of approved phase 1 completed and work being undertaken on a smaller new phase 2 section leaving 50% of the site in use as a driving range.



Figure 1: view from the east of the site showing the reprofiled northern area and unprofiled southern area which is currently used as a driving range.



Figure 2: The site (outlined in red) and the other land under the applicant's control (blue).

4. **Description of Development**

- 4.1. The application seeks permission for an amendment of conditions relating to the extant application WD/D/17/000991 regarding the time limit and landscaping plan. The applicant proposes an extension of time from the original expiry date of 18/08/2023 to 31/12/2028 to allow for the completion of the second half of the scheme. They also propose that the original landscaping scheme submitted as part of the original application (1/D/13/000972) is outdated due to the natural growth of native planting over the last 12 years. The new landscape proposals would involve reduced planting in the hedgerows surrounding the site so as to not disturb the established foliage, and the implementation of a new wooded area on the western boundary of the site for ecological benefit and to screen the site from view to sensitive receptors across the valley.

5. **Relevant Planning History**

Previous Permitted Planning Applications and Certificates of Lawful Use			
Reference	Decision	Date	Description
1/W/85/000756	Refused	19/12/1985	Develop land by the erection of a dwelling for agricultural work.
1/W/89/000231	Granted	22/06/1989	Use land to dispose of surplus spoil from Charmouth By-Pass.
1/W/04/001294	Invalid	13/07/2004	Erect timber golf driving range and provide minimum of 12 additional car parking spaces.
1/W/04/000893	Refused	24/09/2004	Erect timber golf driving range and extend car park.
1/D/10/000480	Refused	17/05/2010	Certificate of lawfulness for proposed use as 26 allotment gardens.

1/D/12/001667	Invalid	04/12/2012	Improvements to the driving range field using inert waste, topsoil and reseeded.
1/D/13/000972/D	No Objection	19/09/2013	Landfill with inert material to facilitate improvements to golf driving range and practice area.
1/D/13/000972	Granted	01/07/2014	Landfill with inert material to facilitate improvements to golf driving range and practice area. Revised Scheme.
WD/D/17/000991	Temporary Grant	18/08/2017	Modification of conditions of planning permission 1/D/13/000972 for improvements to existing golf driving range and practice area including amended scheme for the re-profiling of the playing surface through the importation and placement of uncontaminated sand, naturally occurring soils and inert waste.

6. **Constraints**

P/VOC/2023/02551 is proposed on land which is subject to the following constraints. Where distance is 0, the constraint is either touching the site boundary or the site is within the constraint area. All distances are in metres.

6.1. **Neighbouring Local Authorities**

- Devon County - Distance: 543.71
- East Devon District – Distance: 543.71

6.2. **Environmental Designations**

- Area of Outstanding Natural Beauty (AONB): Dorset; - Distance: 0
- Higher Potential ecological network - Distance: 0

- Site of Special Scientific Interest (SSSI) impact risk zone; - Distance: 0
- Radon: Class: 3 - 5% - Distance: 0

6.3. **Rights of Way**

- Right of Way: Bridleway W2/8; - Distance: 14.28

6.4. **Landfill Sites**

- Authorised Landfill Site name and operator: Lyme Regis Golf Club, Driving Range And Practice Area - Hansford Construction Ltd - Distance: 0
- Authorised Landfill Site name and operator: Penn Cross Landfill - Day A D - Distance: 19.36

7. **Duties**

- 7.1. s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.
- 7.2. Clause 85 of the Countryside and Rights of Way Act (2000) requires Local Planning Authorities to seek to further the purposes of conserving and enhancing the natural beauty of National Landscape (AONB).

8. **Relevant Policies**

Development Plan

8.1. **[Bournemouth, Christchurch, Poole and Dorset Waste Plan \(December 2019\)](#)**

- Policy 1 – Sustainable waste management
- Policy 4 – Applications for waste management facilities not allocated in the Waste Plan
- Policy 8 – Inert waste recovery and disposal
- Policy 12 – Transport and access
- Policy 13 – Amenity and quality of life
- Policy 14 – Landscape and design quality

- Policy 18 – Biodiversity and geological interest
- Policy 23 – Restoration, aftercare and afteruse

8.2 West Dorset, Weymouth & Portland Local Plan 2015

- Policy INT1 – Presumption in Favour of Sustainable Development.
- Policy ENV1 – Landscape, Seascape and Sites of Geological Interest.
- Policy ENV2 – Wildlife and Habitats.
- Policy ENV9 – Pollution and Contaminated Land
- Policy ENV10 – The Landscape and Town Setting
- Policy ENV15 – Efficient and Appropriate Use of Land
- Policy ENV16 – Amenity
- Policy ECON5 – Tourism Attractions and Facilities
- Policy COM4 – New or Improved Local Recreational Facilities
- Policy COM7 – Creating a Safe and Efficient Transport Network
- Policy LYME2 – Land around Lyme Regis

9. Other Material Considerations

9.1. **Emerging Dorset Council Local Plan:**

Paragraph 49 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

The Dorset Council Local Plan Options Consultation took place between January and March 2021. Being at a very early stage of preparation, the relevant policies in the Draft Dorset Council Local Plan should be accorded very limited weight in decision making.

9.2. National Planning Policy Framework

Paragraph 11 sets out the presumption in favour of sustainable development. Development plan proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent or relevant policies are out-of-date then permission should be granted unless any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF or specific policies in the NPPF indicate development should be restricted.

Other relevant NPPF sections include:

- Section 4 'Decision making': Para 38 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- Section 5 'Delivering a sufficient supply of homes' outlines the government's objective in respect of land supply with subsection 'Rural housing' at paragraphs 82-84 reflecting the requirement for development in rural areas.
- Section 6 'Building a strong, competitive economy', paragraphs 88 and 89 'Supporting a prosperous rural economy' promotes the sustainable growth and expansion of all types of business and enterprise in rural areas, through conversion of existing buildings, the erection of well-designed beautiful new buildings, and supports sustainable tourism and leisure developments where identified needs are not met by existing rural service centres.
- Section 11 'Making effective use of land'

- Section 12 'Achieving well designed and beautiful places' indicates that all development to be of a high quality in design, and the relationship and visual impact of it to be compatible with the surroundings. In particular, and amongst other things, Paragraphs 131 – 141 advise that:

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.

Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

- Section 14 'Meeting the challenges of climate change, flooding and coastal change'
- Section 15 'Conserving and Enhancing the Natural Environment'- In Areas of Outstanding Natural Beauty (National Landscapes) great weight should be given to conserving and enhancing the landscape and scenic beauty (para 182). Decisions in Heritage Coast areas should be consistent with the special character of the area and the importance of its conservation (para 184). Paragraphs 185-188 set out how biodiversity is to be protected and encourage net gains for biodiversity.
- Section 16 'Conserving and Enhancing the Historic Environment'- When considering designated heritage assets, great weight should be given to the asset's conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance (para 205). The effect of an application on the significance of non-designated heritage assets should also be taken into account (para 209).

9.3. **National Planning Policy for Waste**

- Section 7: Determining planning applications
- Appendix A: The Waste Hierarchy
- Appendix B: Locational Criteria

9.4. **Supplementary Planning Guidance**

Dorset AONB Landscape Character Assessment

Dorset AONB Management Plan 2019-2024

10. **Consultation Responses**

10.1. The first consultation was undertaken on 22/05/2023, and further consultation undertaken on 02/05/2025 based on submission of a new landscaping plan. Consultees contacted during the reconsultation for comment were:

- DC – Landscape
- DC- Natural Environment Team
- East Devon District Council
- DC – National Landscapes
- Lyme Regis Town Council
- Cllr Christopher

10.2 **Natural England**

No Comment (received 13/06/2023)

10.3 **Environment Agency**

No Objection (received 02/06/2023)

10.4. **DC – Landscape**

First Comment: Objection (received 20/06/2023)

- It is considered that the landscape impacts of the current development are far reaching and therefore the duration of works should be kept to the minimum.
- Concerns that original conditions to split the site into 3 to reduce landscape impacts are not being adhered to.
- Concerns that the extension period is longer than necessary, and suggestion that it should be reduced.

Second Comment: No Objection (received 11/06/2025)

- The updated plan (dwg no. GDR/10/25) addresses all previous concerns over the proposed landscaping scheme.

10.5. **DC – Natural Environment Team**

First Comment (received 16/05/2025)

- Concerns over the clarity of the updated planting scheme
- Support for the planting of woodland within the site.

Second Comment (received 10/06/2025)

- Recommendation that the scheme is implemented via condition.

10.6. **DC – National Landscapes (formerly AONB)**

First Comment: Objection (received 12/06/2023)

- Concern that the application would lead to significant extension to the duration of operations in a highly sensitive and exposed location.
- It is considered that the duration proposed would not be conducive to the conservation and enhancement of the National Landscape
- It is noted that the proposed extension of time would result in a total landfilling period of 11.5 years from the commencement date which is a significant increase from the originally proposed scheme.
- It is considered that the development undermines multiple National Landscape Special Qualities and Policies as per the 'Dorset AONB (National Landscape) Management Plan 2019 – 2024.

- Concerns that a second extension of time would undermine the purpose of previous consents to mitigate harm to the National Landscape through limited duration, and that a greatly reduced extension may be necessary.

Second Comment (received 13/05/2025)

- Concerns over the extension of the duration of the development, and minimising of this being part of the original permission.
- Request for evaluation of the need based on public interest grounds.
- Request for clarification for the new planting area in the west of the site.

Third Comment (received 09/09/2025)

- Confirmation that the clarified planting scheme does not generate any significant concerns.

10.7. **DC – Highways**

No Objection (received 06/06/2023)

10.8. **DC – Flood Risk Management**

No Objection (received 23/05/2023)

10.9. **East Devon District Council**

First Comment (received 06/10/2023)

- Concerns from the original application over impact to the National Landscape, traffic, noise, dust, and odour as well as operating hours and lack of justification for the development are still considered to be relevant and would be exacerbated by the proposed extension.
- It is considered that the limited justification in support of the extension of time does not justify the proposal.
- Request that any extension is fully justified and kept to the minimum time necessary to reduce impact on local residents and landscape, and that conditions are appropriately monitored.

Second Comment: Objection (received 12/05/2025)

- Reiteration of previous concerns, including extension period and lack of justification for previous extensions.
- It is considered that the adjustments to the scheme do not justify the case for extension.
- Suggestion that the extension of time compared to the duration of works completed so far on the site are insufficient and therefore not feasible at current importation rates and local source material.
- Agreement with National Landscape Officer that the site is detrimental to the appearance and characteristics of the landscape and suggestion that it is in the public interest to therefore bring them to a close.
- Request for further assurances from the developer that works will be completed by the deadline.

10.10. Lyme Regis Town Council

Comments (received 01/09/2023)

- Members have received several local complaints about the use of the site, volume of material being deposited and height of the bank created.
- Concern that the material being deposited is not from local sites, which is against the originally proposed 'local need' for the development.
- Request that the site be closely monitored to ensure compliance with conditions.
- No formal objection.

10.11. Uplyme Parish Council

First Comment: Objection (received 17/06/2024)

- The proposal is considered to have a major and adverse potential impact on the residents of the area, and would reduce their amenity.
- Concerns that the hedgerow would not recover, and that hedge removal for an extra access would be unnecessary to the proposal.

Second Comment: Objection (received 19/05/2025)

- It is considered that the development has had major impact on the amenity of the residents of Uplyme Parish.
- Concerns that the deposition of materials is not being adequately monitored, causing visual impact to the East Devon National Landscape

11. **Representations received**

11.1. Five representations have been received from neighbours and members of the community referring to the application, all of which were objections. The issues raised by these submissions include:

- The continuation of historic objections to the landfill since the initial proposal of the development in 2013;
- Perceived misrepresentation of the scheme as a local amenity and in the public interest;
- Belief that the project is being poorly managed;
- Concerns that the following conditions are not being adhered to:
 - 1 (development in accordance with approved plans)
 - 2 (notification of progress of operations)
 - 11 (dust management)
 - 12 (limitation on type of materials to be brought onto site)
 - 15 (daily levelling of imported material)
 - 19 (operating hours)
 - 20 (noise)
 - 24 (agreed location for overnight parking of plant);
- A consensus that the scheme's original approval was not given appropriate consideration, and that the improvement of a driving range was insufficient to warrant approval;
- Suggestion that the scheme is not in accordance with policies set out in the waste plan or NPPF;
- A sense of injustice for sensitive visual receptors outside the Dorset County boundary;

- Frustration at the continuous delay and prolonged impact on the National Landscape for reasons deemed inadequate; and
- Concerns that approval of a second extension of time would be followed by a further application in 2028 and would allow for further disregard of planning conditions.

12. **Habitat Regulations Assessment**

12.1. This application was screened and it was concluded that no habitats regulations assessment was necessary.

13. **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.

13.1. This recommendation is based on adopted development plan policies, the application does not prejudice the human rights of the applicant or any third party.

14. **Public Sector Equality Duty**

14.1. 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.

14.2. 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. This current application is not considered to have any impact upon those with a protected characteristic.

15. **Planning Assessment**

Principle of Development

- 15.1. This planning application is a request for an extension of time to continue an existing landfilling operation at Lyme Regis Golf Club Driving Range. The original planning permission was granted in 2014 (1/D/13/000972). The applicant has cited difficulty obtaining a Permit from the Environment Agency as a significant cause of delay in beginning and continuing the project. Due to this delay, a further application was submitted in 2017 requiring a further extension of time to complete the proposal. This application (WD/D/17/000991) was approved in 2017 with a new end date for completion by 2023. The applicant states that there have been significant subsequent delays since 2017 on account of the COVID-19 pandemic and difficulty obtaining inert waste for landfilling that is sourced close to the site.
- 15.2. Currently, the site is approximately half-finished, and though the applicant claims that they have ongoing difficulty obtaining material for landfilling locally, importation is continuing. It is apparent that the site is in need of restoration, as in its current half-finished state it has a negative impact on the Dorset National Landscape and amenity of local residents.

- 15.3. Policy 1 (sustainable waste management) of the Bournemouth, Christchurch, Poole and Dorset Waste Plan (The Waste Plan) states that proposals for the development of waste management facilities must conform with, and demonstrate how they support the delivery of the waste hierarchy, self sufficiency and proximity.

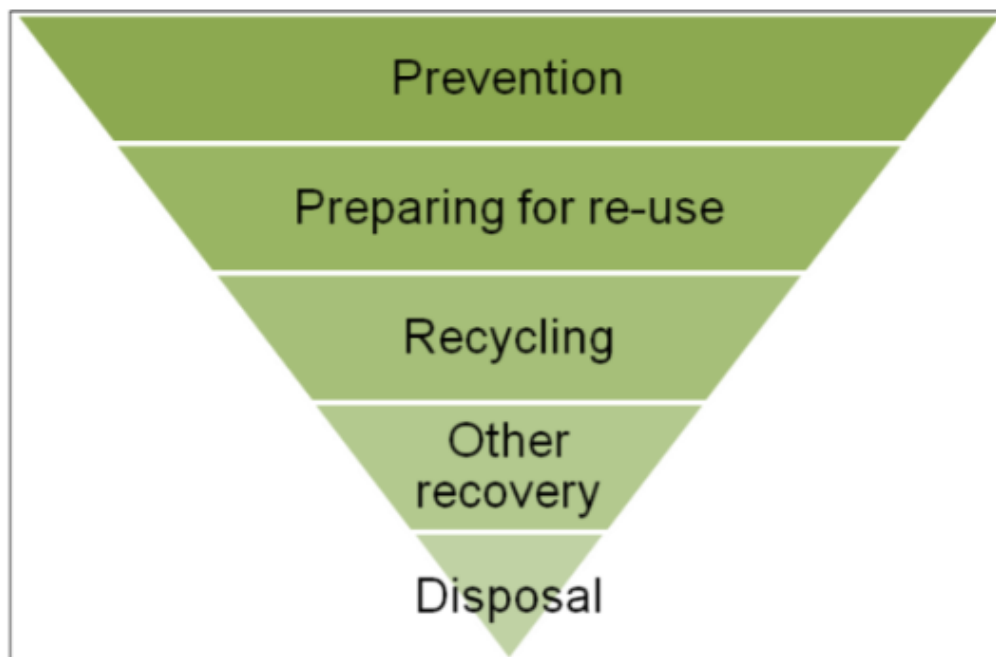


Figure 3: The waste hierarchy

- 15.4. The proposal is classed as a waste disposal facility on a non-allocated site and is not co-located with any other waste management facilities, as it is part of the Lyme Regis Golf Club and its continuing use is as a golf driving range. It is therefore at the bottom of the waste hierarchy as it is disposal and does not contribute to the circular economy. The applicant has also advised that procuring the appropriate inert waste for filling the site is challenging due to the lack of construction projects in the local area and competition between sites. Therefore, the proposal does not meet the requirements of Policy 1 of the Waste Plan.
- 15.5. Policy 4 (Applications for waste management facilities not allocated in the Waste Plan) of the Waste Plan states that waste management facilities will only be permitted where there is no available allocated site or there are advantages to the non-allocated site, and that the proposed site should comply with the relevant policies of this plan. The site is not allocated within the waste plan and does not hold any notable advantages over potential other sites allocated within the waste plan. Therefore, the proposal does not meet the requirements of Policy 4 of the Waste Plan.

- 15.6. Policy 8 (Inert waste recovery and disposal) of the Bournemouth, Christchurch, Poole and Dorset Waste Plan requires that proposals demonstrate that waste is being managed at the highest practicable level of the waste hierarchy and that there is a clear engineering, agricultural, landscape or recreation amenity justification for the development. It also states that proposals for the disposal of inert waste will not be permitted unless it is demonstrated that there is a clearly established need which cannot be met at existing permitted waste management facilities, having regard to the proximity principle. Proposals for inert waste land recovery or disposal must also demonstrate that they meet all of the following criteria:
- a. as far as reasonably practicable all materials capable of producing high quality recycled aggregates have been removed for recycling;*
 - b. the minimum amount of waste is being used to achieve the intended benefit; and*
 - c. they will not prejudice the restoration of existing or permitted mineral or waste sites.*
- 15.7. There is no recycling facility present on site, and no evidence of the imported inert waste being recycled before importation is evident. Furthermore, the use of inert waste to raise the levels of the driving range is likely to prejudice the use of materials at other sites. However, the volume of waste being used to fill the site is considered to be appropriate for the intended use as a driving range, creating a more useable and user-friendly facility. Overall, the proposal does not meet the requirements of Policy 8 of the Waste Plan.
- 15.8. However, Policies 1, 4 and 8 are about the principle of the development which already has the benefit of planning permission. They therefore attract little weight for this application which is for an extension of time.
- 15.9. As part of the original application (1/D/13/000972) the need for a waste disposal facility in this locality, within the National Landscape was considered. It was concluded that there was an unfulfilled need for an inert waste disposal facility to serve the Lyme Regis area. Since then, due to local competition and scarcity the material used for filling the site has been collected from further afield, and no longer serves the local community need that it was originally intended to. In its current state, the site does not serve local need and contributes to negative impact in multiple ways explored later in this assessment. Therefore, it is considered now that the need for an inert waste

disposal facility identified in the original permission is now outweighed by the requirement to restore the land in a manner which is acceptable for its location within the National Landscape.

Landscape and Restoration

- 15.10. In their original consultation response, the National Landscape officer states that the already delayed operation of the existing development and potential extension of time are not conducive to the conservation and enhancement of the National Landscape. They also state that the proposed extension of time coupled with the already approved extension of time would result in a total length of 11.5 years instead of the originally proposed duration of 5 years. In their comments, they consider that the development undermines the National Landscape Special Qualities and Policies outlined in the Dorset AONB Management Plan 2019 – 2024 and that an extension of time would undermine previous efforts to mitigate harm through limited duration. Another concern is that this proposed extension of time cannot guarantee the completion of the development by 2028.
- 15.11. Policy C1 of the Dorset AONB Management Plan states that the AONB (National Landscape) and its setting shall be conserved and enhanced by good planning and development. Policy C2 of the Dorset AONB Management Plan states that landscape assessment and monitoring shall be effective and support good decision making. Policy C3 of the Dorset AONB Management Plan states that necessary development shall be supported. Policy C4 of the Dorset AONB Management Plan states that development which has negative effects on the natural beauty of the AONB, its special qualities, ecosystem flows and natural processes shall be avoided.
- 15.12. The site as it currently stands, in its half-finished state, is against landscape and National Landscape Policy, as the workings do not conserve or enhance the National Landscape in its setting and it has visual negative effects on the area's natural beauty, special qualities, ecosystem flows and natural processes. Although extending the time to complete the development would see negative impact continued, it would facilitate the proper and appropriate final restoration of the site in alignment with its setting within the National Landscape. The final completion of the site is considered necessary for the National Landscape to be conserved and enhanced, and to restore and

enhance the disrupted ecosystem flows and natural processes by way of new planting as part of the scheme. It is considered that the need for restoration of the site outweighs the visual impact of the development in its current half-finished state upon the National Landscape whilst it is ongoing. It is necessary in order to complete the development to achieve the desired standard of restoration. Therefore, although the site in its current state does not meet the requirements of the Dorset AONB Management Plan, the proposed extension of time to allow for the final restoration of the site would meet the requirements of policies C1, C2, C3 and C4 of the Dorset AONB Management Plan.

- 15.13. Policy 14 (Landscape and design quality) of the Waste Plan states that proposals for waste management facilities will be permitted where they are compatible with their setting and would conserve or enhance the character and quality of the landscape, and that this must be achieved through sympathetic design and location, appropriate scale and avoidance or mitigation of adverse landscape impacts.
- 15.14. Policy ENV1 (Landscape, Seascape and Sites of Geological Interest) of the West Dorset, Weymouth, & Portland Local Plan (The Local Plan) states that exceptional landscapes will be protected, and that development which would harm the character, special qualities or natural beauty of the Dorset AONB (National Landscape) will not be permitted. Policy ENV10 (The Landscape and Town Setting) states that all development proposals should be informed by the character of the site and its surroundings and that opportunities to incorporate features that would enhance local character should be taken where appropriate.
- 15.15. Section 85 of the Countryside and Rights of Way (CROW) Act 2000 states that when determining an application an authority must seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty. In addition, the Levelling-Up and Regeneration Act (LURA) 2023 requires public authorities through planning and decision making to ensure that proactive steps are taken to achieve positive outcomes for National Landscapes.
- 15.16. This application now proposes changes to the original approved landscaping plan to include a climate change resistant tree planting area. Dorset Council's Landscape Officer considers that this would contribute to the preservation and enhancement of the landscape and its character as it would contribute to mitigation of visual impact on

the National Landscape once the development is completed and the trees have matured. It is also considered that the proposal for an extension of time to allow the project to be completed would contribute to the preservation, protection and enhancement of the landscape as the site is currently half finished. Therefore, the optimum overall solution for this site, taking into account its location in the National Landscape, is for it to be completed in a timely fashion. It is clear that whilst this development is ongoing that it does not comply with Policy 14 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan, Policy ENV1 and ENV10 of the Local Plan or Section 85 of the CROW Act 2000 as the continuation of the construction of the development is not able to enhance or conserve the National Landscape. However, neither does the site in its half-finished state, and it is considered that once the development is complete Policies 14, ENV1, ENV10, section 85 and the requirements of the LURA with regard to National Landscapes will be complied with.

Biodiversity

- 15.17. Policy 18 (Biodiversity and geological interest) of the Waste Plan states that proposals for waste management facilities will only be permitted where adverse impacts on biodiversity and/or geodiversity will be avoided and/or mitigated, or compensation (in that order of preference) for the enhancement of biodiversity is provided where adverse impacts are unavoidable.
- 15.18. Policy INT1 (Presumption in Favour of Sustainable Development) of the Local Plan states that there will be a presumption in favour of sustainable development that will improve the economic, social and environmental conditions in the area.
- 15.19. Policy ENV2 (Wildlife and Habitats) of the Local Plan states that proposals that conserve or enhance biodiversity should be supported, and that opportunities to incorporate and enhance biodiversity in and around developments should be encouraged. It also states that development in major sites should take opportunities to help connect and improve the wider ecological networks.
- 15.20. This application incorporates a wedge of trees on the western boundary of the site which has already been partially planted. These trees are of climate change resistant species and connect to an existing wooded area to the southwest. Dorset Council's NET advises that the addition of this wooded area provides a positive contribution to

the biodiversity of the area by expanding existing ecological networks and enhancing biodiversity on the site. Therefore, the proposal meets the requirements of Policy 18 of the Waste Plan and Policies INT1 and ENV2 of the Local Plan.

Amenity

15.21. Policy 13 (Amenity and quality of life) of the Waste Plan states that proposals for waste management facilities will be permitted where it is demonstrated that any potential adverse impacts on amenity arising from the operation of the facility and any associated transport can be satisfactorily avoided or mitigated to an acceptable level, having regard to sensitive receptors. Considerations include noise, dust, odour, visual impact and site related traffic impacts.

15.22. Policy ENV16 (Amenity) of the Local Plan states that proposals for development should be designed to minimise their impact on amenity and will only be permitted provided they do not result in a level of activity or noise that will detract from the character and amenity of the area or quiet enjoyment of residential properties.

15.23. The existing landfill operation on site involves the importation of inert waste and soils, which does not typically produce any significant odour and no odour has been observed on any site visit. The current site operation is being carried out in accordance with existing conditions as per permission WD/D/17/000991 for the following:

- Management of dust (condition 11)
- Type of material imported (condition 12)
- Operating hours (condition 19)
- Noise (condition 20)
- Reversing alarms (condition 21)
- Maximum loaded vehicle movements (condition 25)
- Vehicle cleaning (condition 27)
- Progressive landscaping of the site (condition 30)
- Landscape maintenance (condition 31)

15.24. These conditions are proposed to be carried forward for this proposal, together with some new proposed conditions to ensure completion by the end date and it is considered that with these conditions in place, that the continuation of the development

will be acceptable. The operation of the development that has taken place so far under these conditions has not resulted in any complaint regarding noise, and although when operational, there is some limited noise produced. Overall, it is considered that the development is not harmful in relation to noise or amenity and complies with Policy 13 of the Waste Plan and Policy ENV16 of the Local Plan.

15.25. Although the need to restore the site in accordance with its location within the National Landscape is afforded significant weight in the assessment of this application, it is noted that the negative impact on the landscape and visual amenity will continue up to final completion. The original application (1/D/13/000972) gave a time limit of 5 years for the purpose of limiting the medium-term impacts of the development, which has been superseded by the subsequent extension of time permission (WD/D/17/000991) for a further 5 years, and this current application for another 5 years up to 2028. Currently, as the site is unfinished, there is a step where the non-filled area meets the filled area approximately halfway up the site running from east to west. It is necessary for importation to continue to complete the development as not doing so would leave the site with a poor landscape form and an inability of the Lyme Regis Golf Club to utilise the land as a driving range, as per Policies ECON5 and ENV15 of the Local Plan, explored below.

Locality

15.27. Policy ECON5 (Tourism Attractions and Facilities) of the Local Plan states that proposals for extensions to tourism attractions and facilities will be encouraged and supported, particularly where they would enhance an existing facility or provide wider environmental benefits.

15.28. Policy ENV15 (Efficient and Appropriate Use of Land) of the Local Plan states that development should optimise the potential of the site and make efficient use of land, subject to the limitations inherent in the site and impact on local character.

15.29. Policy COM4 (New or Improved Local Recreational Facilities) of the Local Plan states that proposals for new or improved open space recreation facilities will be permitted provided that the proposal is well located to be accessible to its main catchment population and would not generate significant single purpose trips by private car. It

also states that these facilities will only be permitted if they require a countryside location and their scale is in keeping with the surrounding environment. Such proposals must not be intrusive in the landscape or cause unacceptable impacts to local amenity or through increased vehicle movements.

- 15.30. Policy LYME2 (Land Around Lyme Regis) of the Local Plan states that the district council will work with East Devon District Council, Lyme Regis Town Council and Uplyme Parish Council to undertake joint evidence gathering, including on constraints.
- 15.31. The existing development is for the raising and re-levelling of the Lyme Regis Golf Club Driving Range, which the applicant states is to improve the golfing experience for club members. It is considered that although this is a material benefit, it is outweighed by the harmful visual character and amenity impacts created during construction. It is unfortunate that, for the reasons explained earlier, the works have not yet completed and as a result negative impact on the visual character of the area persists. It is considered that the request for the extension of time to allow for the completion of the development would improve the current state of the driving range and optimise its potential by bringing the entire site to the same level. Therefore, the proposed development meets the requirements of Policies ECON5 and ENV15 of the Local Plan.
- 15.32. The site is located just outside Lyme Regis, a 5-minute car journey or a 9-minute bus journey, which means that the site can be accessed without single purpose trips by private car. Whilst works are being undertaken, it is accepted that the works are intrusive to the landscape. However, it is considered that the extension of time will allow for the suitable completion of the ongoing development and would therefore meet the requirements of Policy COM4 of the West Dorset, Weymouth, & Portland Local Plan.
- 15.33. In assessing this application, East Devon District Council, Lyme Regis Town Council and Uplyme Parish Council have been consulted. Therefore, the consideration of this planning application meets the requirements of Policy LYME2 of the West Dorset, Weymouth, & Portland Local Plan.

Transport and site operation

- 15.34. Policy 12 (Transport and access) of the Bournemouth, Christchurch, Poole and Dorset Waste Plan states that proposals for waste management facilities which could have

an adverse impact as a consequence of the traffic generated will be permitted where it is demonstrated that a safe access is provided.

15.35. Policy COM7 (Creating a Safe and Efficient Transport Network) of the Local Plan states that development should be located where the volume of traffic likely to be generated can be accommodated on the local highway network without exacerbating community severance and will not be permitted where the residual cumulative impact on the efficiency of the transport network is likely to be severe.

15.36. The proposal is for an extension of time to the existing landfilling operation on the site. As part of the original application (1/D/13/000972) a separate access for HGVs and driving range users was designed and implemented, and the number of HGV movements allowed to be associated with the development increased from 20 to 30 in the subsequent permission (WD/D/17/000991). The access point and HGV movements associated with the development have been considered acceptable by the Highway Authority and would remain unchanged as part of this application. Therefore the proposal meets the requirements of Policy 12 of the Waste Plan and Policy COM7.

16. **Conclusions**

16.1. In conclusion, having considered national, local and waste policy, the development does not meet the requirements of policies 1, 4, 8, and 14 of the Waste Plan or policies ENV1 or ENV10 of the Local Plan, and therefore is not in accordance with the development plan as a whole. This is due to the impact of the existing operation on the Dorset National Landscape and local amenity as a waste management site. However, the principle of development has been established and this application is concerned only with extending the time for this development so that work can be completed in a timely manner that is appropriate for its setting within the Dorset National Landscape and reduce visual and ecological impact via new planting.

16.2. It is considered that the proper completion of this land raising development is necessary in order to minimise impact in the locality. Once the golf driving range is fully operational again it is considered that there would be no lasting impact on the landscape. The proposed extension of time to enable completion would provide landscape and biodiversity benefits in the form of new climate-change resistant tree

planting on the western portion of the site, and by allowing the development to be completed in accordance with approved plans, the driving range would be improved and fully functional and visual amenity would be restored.

- 16.3. If permission for this extension of time is approved, the existing adverse visual impact on the National Landscape taking place currently, whilst the proposal is under construction, would be mitigated once the development is completed and landscaping has begun to mature. Overall, it is considered that the completion of the development and the final restoration of the site in accordance with the proposed scheme would be a significant improvement of this sensitive site in the National Landscape compared to its current half-finished state. Therefore, despite being contrary to the development plan, the material considerations set out above outweigh that conflict and it is therefore considered that planning permission should be granted.

17. **Recommendation**

That planning permission be GRANTED subject to the following conditions:

Development in Accordance with Approved Plans and Documents

1. Unless otherwise required by the conditions of this permission, the development hereby permitted shall be carried out in accordance with the approved plans and documents comprising:
- 'Hansford Construction Ltd Dust Management Plan for Lyme Regis Golf Club';
 - Drawing No. GDR/3/13 Rev A titled 'DRIVING RANGE SURFACING REPROFILING PROPOSALS – LOCATION PLAN' dated MAR 2017;
 - Drawing No. GDR/4/13 titled 'DRIVING RANGE SURFACE REPROFILING PROPOSALS - AREA PLAN' dated APR 2017;
 - Drawing No. GDR/1/10 Rev. F titled 'DRIVING RANGE SURFACE REPROFILING PROPOSALS – PLAN' dated MAR 2017;
 - Drawing No. GDR/2/10 Rev. F titled 'DRIVING RANGE SURFACE REPROFILING PROPOSALS – SECTIONS' dated MAR 2017;

Applications Report for Minor Development and Others

- Drawing No. GDR/9/24 Rev A titled "DRIVING RANGE FILL – PROPOSED NEW ACCESS TRACK TO FACILITATE TIPPING IN FINAL PHASE OF SITE' dated JULY 2025; and
- Drawing No. GDR/10/25 titled 'UPDATED LANDSCAPE PLAN dated JUN 2025.
- Drawing No. GDR/10/25A titled 'UPDATED LANDSCAPE PLAN WITH AREAS dated JUN 2025.

and in accordance with the details set out in the Planning Statement dated April 2017 submitted in support of the application including Figure 2 showing proposed site arrangements.

Reason

For the avoidance of doubt and to control the approved development in the interests of amenity and the environment having regard to saved Policies 1, 3, 4, 13, 21 and 41 of the Bournemouth, Dorset and Poole Waste Local Plan and Policies INT1, ENV1, ENV2, ENV5, ENV7, ENV9, ENV10 and COM7 of the adopted West Dorset, Weymouth & Portland Adopted Local Plan 2015.

Notification of Progress of Operations

2. The developer shall notify the Waste Planning Authority in writing within one week of the date of each of the following:
 - The commencement of work on phase 3 as shown on Dwg. No. GDR/9/24 Rev A dated July 2025 submitted in support of the application;
 - The completion of the deposit of imported material in each phase; and
 - The completion of the replacement of site soils in each phase.

Reason

To assist the Waste Planning Authority in monitoring the approved development having regard to saved Policies 1, 3 and 4 of the Bournemouth, Dorset and Poole Waste Local Plan and Policies INT1 and ENV1 of the adopted West Dorset, Weymouth & Portland Adopted Local Plan 2015.

Applications Report for Minor Development and Others

Time Limit - Completion of Development

3. The development hereby permitted shall, subject to condition 30 be completed and landscaped in accordance with the Landscape Proposals detailed on approved Drawing No. GDR/10/25 no later than 31st December 2028, by which time the importation and deposit of material shall have ceased and the site shall have been cleared of all items of plant and machinery.

Reason

To limit the impact of the development on the surrounding area which is part of the Dorset National Landscape having regard to saved Policies 1, 3 and 4 of the Bournemouth, Dorset and Poole Waste Local Plan and Policies INT1 and ENV1 of the adopted West Dorset, Weymouth & Portland Adopted Local Plan 2015.

Means of Access

4. Notwithstanding the details shown on the approved reprofiling proposals plan (Drawing N0. GDR/1/10 Rev. F) vehicular access to the reprofiling works shall be by means on the existing northern access from the A3052 outlined in green on approved area plan (Dwg. No. GDR/413) and the connecting internal Temporary Access Track (Dwg No. GDR/9/24 Rev. A) dated July 2024 submitted in support of the application only and no new temporary access to the A3052 shall be constructed.

Applications Report for Minor Development and Others

Reason

For the avoidance of any doubt and to minimise disturbance to the established roadside boundary having regard to saved Policies 1, 3 and 4 of the Bournemouth, Dorset and Poole Waste Local Plan and Policies INT1, ENV1 and ENV10 of the adopted West Dorset, Weymouth & Portland Adopted Local Plan 2015.

Construction of Internal Temporary Access Track

5. Prior to the stripping on any soils within phase 3 within the AREA FOR REPROFILING as shown on approved Drawing No. GDR/9/24 Rev A, that part of the Temporary Access Track shown on Dwg No. GDR/9/24 Rev. A as required to access and egress the site and any associated access track shall be constructed in accordance with approved details. The Temporary Access Track and associated platforms shall thereafter be maintained as necessary to provide access in accordance with the approved details.

Reason

To limit impact on the landscape having regard to saved Policies 1, 3 and 4 of the Bournemouth, Dorset and Poole Waste Local Plan and Policies INT1, ENV1 and ENV10 of the adopted West Dorset, Weymouth & Portland Adopted Local Plan 2015.

Installation of Protective Fencing

6. Prior to the stripping of any soils within the Phase 3 area, as shown on Drawing GDR/9/24, dated July 2024, protective fencing shall be installed to protect existing trees and hedgerows. The protective fencing shall be maintained in a condition that will prevent vehicles entering the protected area between the fencing and any adjacent hedgerow for the duration for the reprofiling and improvement works hereby permitted.

Reason

To protect existing boundary vegetation from damage having regard to saved Policies 1, 3 and 4 of the Bournemouth, Dorset and Poole Waste Local Plan and Policies INT1,

Applications Report for Minor Development and Others

ENV1 and ENV10 of the adopted West Dorset, Weymouth & Portland Adopted Local Plan 2015.

Retention of Control Stations

7. The two spot levels identified as STN 1 and STN 2 on approved Drawing Number GDR/1/10 Rev. F shall be retained and left undisturbed throughout the life of this permission.

Reason

To provide two identifiable fixed reference points to use in the monitoring of the site having regard to saved Policies 1, 3 and 4 of the Bournemouth, Dorset and Poole Waste Local Plan and Policies INT1, ENV1 and ENV10 of the adopted West Dorset, Weymouth & Portland Adopted Local Plan 2015.

Soil Stripping

8. All soil stripping shall only be undertaken when the soil is in a dry and friable condition and stockpiled in a location within the phase 3 area, in accordance with approved plan Dwg. No. GDR/9/24 Rev A.

Reason

To protect site soils and ensure that resultant levels accord with the approved scheme and blend in with the surrounding landscape having regard to saved Policies 1, 3 and 4 of the Bournemouth, Dorset and Poole Waste Local Plan and Policies INT1, ENV1 and ENV10 of the adopted West Dorset, Weymouth & Portland Adopted Local Plan 2015.

Survey on Completion of Reprofilng

9. On completion of the reprofiling of each phase as numbered 1 to 3 on Dwg. No. GDR/9/24 Rev A dated July 2025 submitted in support of the application, the surface levels of that phase shall be ascertained by a competent surveyor and any discrepancy between actual levels and those approved shall be immediately made known to the

Applications Report for Minor Development and Others

local planning authority. Any remedial action requested in writing by the local planning authority shall be implemented in full within 1 month of that request.

Reason

To ensure that the resultant landform blends in with the surrounding landscape having regard to saved Policies 1, 3 and 4 of the Bournemouth, Dorset and Poole Waste Local Plan and Policies INT1, ENV1 and ENV10 of the adopted West Dorset, Weymouth & Portland Adopted Local Plan 2015.

Topsoil Storage

10. Stripped topsoil that is not directly placed on reprofiled areas shall be stockpiled in the locations indicated on Dwg. No. GDR/9/24 Rev A submitted in support of the application. No topsoil shall be removed from the application site. The stockpiled soil shall be permanently retained on site for the purposes of restoration, and stockpiles shall not exceed 2m in height above ground level. All stockpiles shall be kept free of pernicious agricultural weeds (such as thistle, dock, Japanese knotweed and ragwort).

Reason

To ensure that any available topsoil is saved for use as part of the reprofiling scheme having regard to saved Policies 1, 3 and 4 of the Bournemouth, Dorset and Poole Waste Local Plan and Policies INT1, ENV1 and ENV10 of the adopted West Dorset, Weymouth & Portland Adopted Local Plan 2015.

Dust Management

11. During the stripping of soils, placing of imported soils and other operations within all Phase areas of the site, as illustrated on Drawing GDR/9/24, dated July 2024, the dust control measures and management details, as set out in Hansford Construction Ltd 'Dust Management Plan for Lyme Regis Golf Club', shall be implemented throughout the duration of the reprofiling and improvement works hereby permitted. In the event that significant levels of dust are raised, the operations shall be halted until such time as the site or weather conditions change so as to reduce the generation of dust.

Reason

Applications Report for Minor Development and Others

To protect the amenities of the surrounding area having regard to saved Policies 1, 3 and 4 of the Bournemouth, Dorset and Poole Waste Local Plan and Policies INT1, ENV1 and ENV16 of the adopted West Dorset, Weymouth & Portland Adopted Local Plan 2015.

Limitation on Type of Materials to be Brought onto Site

12. Only clean uncontaminated soils, sub-soils, sand, gravel, stones, aggregates and other inert wastes (including mixtures of inert waste with pre-crushed concrete, bricks, tiles and ceramics, shall be brought onto the site for use in the reprofiling works. Any waste brought to the site that is not inert shall be stored in a designated container prior to being removed off site as soon as is practicable.

Reason

In accordance with the application proposal and to ensure that the material deposited on the site does not present a pollution risk having regard to saved Policies 1, 3, 4 and 13 of the Bournemouth, Dorset and Poole Waste Local Plan and Policies INT1, ENV1, ENV9, ENV10 and ENV16 of the adopted West Dorset, Weymouth & Portland Adopted Local Plan 2015.

No Waste Processing on Site

13. No crushing, screening or recycling of imported waste materials shall take place on the site.

Reason

In accordance with the application proposal and to protect the receiving environment and local amenity having regard to having regard to saved Policies 1, 3, 4 and 13 of the Bournemouth, Dorset and Poole Waste Local Plan and Policies INT1, ENV1, ENV9, ENV10 and ENV16 of the adopted West Dorset, Weymouth & Portland Adopted Local Plan 2015.

Soil Handling

Applications Report for Minor Development and Others

14. Soils shall not be removed or handled unless they are in a dry friable condition and contain sufficient moisture to prevent degradation of the soil structure.

Reason

To prevent soil damage and ensure satisfactory restoration of the site having regard to saved Policies 1, 3 and 4 of the Bournemouth, Dorset and Poole Waste Local Plan and Policies ENV1, ENV10 and ENV16 of the adopted West Dorset, Weymouth & Portland Adopted Local Plan 2015.

Daily Levelling of Imported Material

15. Any material imported for deposit on the site shall be spread and bladed out before the end of each working day and no imported material shall be left in spoil heaps overnight.

Reason

To limit landscape impact having regard to saved Policies 1, 3 and 4 of the Bournemouth, Dorset and Poole Waste Local Plan and Policies ENV1, ENV10 and ENV16 of the adopted West Dorset, Weymouth & Portland Adopted Local Plan 2015.

Layering of Deposited Material

16. No brick or concrete rubble shall be placed in any phase within a depth of 0.3 metres of the planned surface level.

Reason

To ensure satisfactory restoration of the site is achieved having regard to saved Policies 1, 3 and 4 of the Bournemouth, Dorset and Poole Waste Local Plan and Policies ENV1, ENV10 and ENV16 of the adopted West Dorset, Weymouth & Portland Adopted Local Plan 2015.

Maximum Importation of Material

Applications Report for Minor Development and Others

17. The maximum amount of material imported to the site shall not exceed 30,000 tonnes in any one calendar year.

Reason

In accordance with the application proposal and to protect the amenities of the surrounding area having regard to saved Policies 1, 3 and 4 of the Bournemouth, Dorset and Poole Waste Local Plan and Policies ENV1, ENV10 and ENV16 of the adopted West Dorset, Weymouth & Portland Adopted Local Plan 2015.

Limitation on Extent of Disturbed Area

18. No more than one phase as numbered 1 to 3 on Dwg. No. GDR/9/24 Rev A dated July 2025 submitted in support of the application shall be subject to reprofiling with imported material at any one time and no other phase shall be stripped of topsoil unless within a period of 5 working days of the proposed transition from one phase to the next. (If an remedial restoration scheme has been submitted under the terms of condition 31, this condition shall not apply).

Reason

To limit landscape impact having regard to saved Policies 1, 3 and 4 of the Bournemouth, Dorset and Poole Waste Local Plan and Policies ENV1, ENV10 and ENV16 of the adopted West Dorset, Weymouth & Portland Adopted Local Plan 2015.

Operating Hours

19. No deliveries of material to the site or the operation of machinery on the site shall take place outside the hours of 0700 to 1800 Monday to Friday and at no times during Weekends, Public or Bank Holidays. For the avoidance of any doubt, the operation of machinery shall be taken to include preparatory site work, topsoil stripping, the deposit and/or levelling of any imported materials and any subsequent landscaping work.

Reason

To protect the character of the surrounding area having regard to saved Policies 1, 3 and 4 of the Bournemouth, Dorset and Poole Waste Local Plan and Policies ENV1,

Applications Report for Minor Development and Others

ENV10 and ENV16 of the adopted West Dorset, Weymouth & Portland Adopted Local Plan 2015.

Noise

20. The residual noise level (LAeq 1 hour) at any noise sensitive receptor shall not exceed +10 decibel (dB) of the background noise level (LA90) but in any event shall not exceed an absolute level of 42 dB (LAeq, 1 hour) freefield at any noise sensitive property at any time during permitted operational hours. Within 28 days of a reasoned written request to the operator from the local planning authority following a justifiable noise complaint, the operator shall undertake noise monitoring and submit for approval a detailed noise scheme detailing procedures to be adopted for noise suppression and mitigation to ensure that the maximum permitted noise levels are not exceeded. The noise scheme as approved by the local planning authority shall be implemented in full for the remaining duration of the reprofiling works.

Reason

To enable compliance with the proposed noise limits to be monitored having regard to having regard to saved Policies 1, 3 and 4 of the Bournemouth, Dorset and Poole Waste Local Plan and Policies ENV1, ENV10 and ENV16 of the adopted West Dorset, Weymouth & Portland Adopted Local Plan 2015.

Reversing Alarms

21. All earth moving equipment and other plant and machinery operated on the site shall be fitted with white noise reversing alarms.

Reason

To protect the character of the surrounding area having regard to saved Policies 1, 3 and 4 of the Bournemouth, Dorset and Poole Waste Local Plan and Policies ENV1, ENV10 and ENV16 of the adopted West Dorset, Weymouth & Portland Adopted Local Plan 2015.

Applications Report for Minor Development and Others

Retention of Hedgerow

22. The existing hedgerows and trees marking the boundaries of the site shall not be felled or cut back for the duration of the reprofiling works.

Reason

To maintain visual screening of the site and limit impact on the visual amenity of the surrounding area having regard to saved Policies 1, 3 and 4 of the Bournemouth, Dorset and Poole Waste Local Plan and Policies ENV1, ENV10 and ENV16 of the adopted West Dorset, Weymouth & Portland Adopted Local Plan 2015.

Exclusion of Vehicles from Site

23. Except from within a period of 5 working days of the proposed transition from one sub-phase to the next, other than plant required to spread and blade out imported material on a daily basis, no plant or machinery shall be kept on any part of the application site overnight.

Reason

To limit landscape impact having regard to saved Policies 1, 3 and 4 of the Bournemouth, Dorset and Poole Waste Local Plan and Policies ENV1, ENV10 and ENV16 of the adopted West Dorset, Weymouth & Portland Adopted Local Plan 2015.

Agreed Location for Overnight Parking of Plant

24. Any plant kept on the site overnight shall be parked in the location shown on Dwg. No. GDR/9/24 Rev A dated July 2025 submitted in support of the application. For the avoidance of any doubt, overnight parking shall be taken to include any parking outside the approved working hours for the site.

Reason

To limit landscape impact having regard to saved Policies 1, 3 and 4 of the Bournemouth, Dorset and Poole Waste Local Plan and Policies ENV1, ENV10 and ENV16 of the adopted West Dorset, Weymouth & Portland Adopted Local Plan 2015.

Applications Report for Minor Development and Others

Limit on Loaded Vehicles Accessing the Site

25. No more than 30 loaded vehicles shall enter the site on any one day.

Reason

To control the impact of the development having regard to saved Policies 1, 3, 4, 20 and 21 of the Bournemouth, Dorset and Poole Waste Local Plan and Policies ENV1, ENV10, ENV16 and COM7 of the adopted West Dorset, Weymouth & Portland Adopted Local Plan 2015.

Record of Vehicle Movements and Volumes

26. The site operator shall maintain a record of the vehicle numbers and of the weight of material delivered to the site. This record shall be retained for a period of not less than 2 years and shall be made available to the local planning authority within 14 days of a written request.

Reason

To assist the local planning authority in monitoring the approved development having regard to saved Policies 1, 3 and 4 of the Bournemouth, Dorset and Poole Waste Local Plan and Policies INT1 and ENV1 of the adopted West Dorset, Weymouth & Portland Adopted Local Plan 2015.

Vehicle Cleaning

27. No commercial vehicle shall enter the public highway unless its wheels and chassis are sufficiently clean to prevent the deposit of material on the road.

Reason

To avoid mud or debris being carried onto the highway having regard to saved Policy 21 of the Bournemouth, Dorset and Poole Waste Local Plan and Policy COM7 of the adopted West Dorset, Weymouth & Portland Adopted Local Plan 2015.

Remedial Action to Remove Detritus from Highway

Applications Report for Minor Development and Others

28. If any mud or debris is carried onto the highway by vehicles leaving the site the operator shall immediately employ measures to clean the carriageway.

Reason

In the interests of highway safety having regard to saved Policy 21 of the Bournemouth, Dorset and Poole Waste Local Plan and Policy COM7 of the adopted West Dorset, Weymouth & Portland Adopted Local Plan 2015.

Maintenance of Temporary Access Track

29. The surface of the access track shown on Dwg. No. GDR/9/24 Rev A dated July 2025 submitted in support of the application shall be maintained in a good state of repair and shall be kept clean and free of mud and other debris.

Reason

To avoid mud or debris being carried onto the highway having regard to Policy 21 (Transport Impact) of the Bournemouth, Dorset and Poole Waste Local Plan and Policy COM7 of the adopted West Dorset, Weymouth & Portland Adopted Local Plan 2015.

Progressive Landscaping

30. The site shall be landscaped in accordance with the details shown on approved Dwg. No. GDR/10/25 dated June 2025 and Dwg. No. GDR/10/25A dated June 2025. The planting for Area A shall be undertaken in winter 2025/2026. The planting for Area B shall be undertaken in the first planting season after importation to phase 3 is complete, within the AREA FOR REPROFILING as shown on approved Drawing No. GDR/9/24 Rev A. The wildflower margin shall be a minimum of 10 metres wide and shall be seeded in the first planting season following the completion of the development in accordance with the approved details.

Reason

Applications Report for Minor Development and Others

To enhance the surrounding landscape having regard to saved Policies 1, 3 and 4 of the Bournemouth, Dorset and Poole Waste Local Plan and Policies ENV1, ENV2, ENV10 and ENV16 of the adopted West Dorset, Weymouth & Portland Adopted Local Plan 2015.

Remedial Restoration and Landscaping

31. At the end of every month, commencing 30th November 2025, the Applicant shall submit their importation log to the Waste Planning Authority. If the total quantity imported to the site for any three consecutive months totals less than 3,500 tonnes, a remedial amended restoration plan shall be submitted within 6 weeks of the most recent submission (of importation log) to the Waste Planning Authority for approval in writing. The amended remedial restoration plan shall include details of the new restoration levels, cross sections, landform, planting and wildflower areas. The amended remedial restoration plan shall be implemented within 6 months of the date of its approval and instead of the scheme approved pursuant to condition 3.

Reason

To ensure the timely restoration of the site in accordance with the surrounding landscape having regard to saved Policies 1, 3 and 4 of the Bournemouth, Dorset and Poole Waste Local Plan and Policies ENV1, ENV2, ENV10 and ENV16 of the adopted West Dorset, Weymouth & Portland Adopted Local Plan 2015.

32. **Timetable for Completion**

Every year on the 31st of August 2026, 2027 and 2028 details of progression of the landfill to include quantity delivered and volume left to be filled shall be submitted to the Waste Planning Authority for information, and to ensure the applicant remains on target to complete the development on time.

Reason

To ensure the timely restoration of the site in accordance with the surrounding landscape having regard to saved Policies 1, 3 and 4 of the Bournemouth, Dorset and

Applications Report for Minor Development and Others

Poole Waste Local Plan and Policies ENV1, ENV2, ENV10 and ENV16 of the adopted West Dorset, Weymouth & Portland Adopted Local Plan 2015.

Landscape Maintenance

33. Any plants or seeding that within five years of the date of planting die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

Reason

To enhance the surrounding landscape having regard to saved Policies 1, 3 and 4 of the Bournemouth, Dorset and Poole Waste Local Plan and Policies ENV1, ENV2, ENV10 and ENV16 of the adopted West Dorset, Weymouth & Portland Adopted Local Plan 2015.

Maintenance of Visibility Splays

34. All visibility splay areas at the existing site entrance shall be maintained and kept free from obstruction for the duration of operations.

Applications Report for Minor Development and Others

Reason

In the interests of highway safety having regard to saved Policies 20 and 21 of the Bournemouth, Dorset and Poole Waste Local Plan and Policy COM7 of the adopted West Dorset, Weymouth & Portland Adopted Local Plan 2015.

INFORMATIVES

In accordance with paragraph 39 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

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

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

In this case:

- The applicant/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.
- The applicant was provided with pre-application advice.
- The application was acceptable as submitted and no further assistance was required.

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Application Number:	P/FUL/2024/03046		
Webpage:	https://planning.dorsetcouncil.gov.uk/		
Site address:	Bladeley Hill, Court Farm, Buckland Newton, Dorset		
Proposal:	Retrospective application for construction of lagoon to store waste from septic tanks to be used as fertiliser in agriculture.		
Applicant name:	Martin Perrett		
Case Officer:	Tom Uglow		
Ward Member(s):	Cllr Haynes		
Publicity expiry date:	16 October 2024	Officer site visit date:	31 July 2024
Decision due date:	23 September 2025	Ext(s) of time:	5
No of Site Notices:	3		
SN displayed reasoning:	Proximity to public rights of way		

1.0 Reason application is going to committee

At the request of the Minerals and Waste Planning Manager due to the public interest in the site and considering the retrospective nature of the application.

2.0 Summary of recommendation:

Grant Planning Permission subject to conditions.

3.0 Reason for the recommendation:

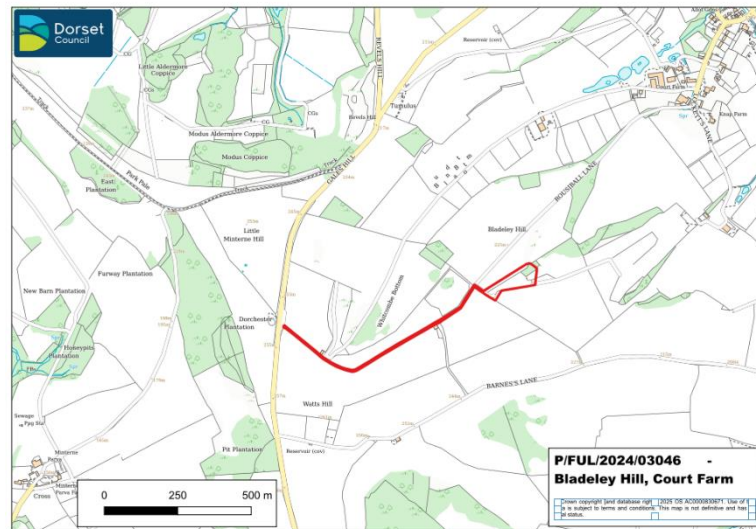
3.1 As set out in Section 16 of this report, in summary:

- Subject to the proposed planning conditions the development aligns with local and national policies that support sustainable waste management and agricultural diversification, including the Bournemouth, Christchurch, Poole and Dorset Waste Plan (2019), the National Planning Policy Framework (NPPF), and the West Dorset, Weymouth & Portland Local Plan (2015).

4.0 Key planning issues

- Air Quality on protected European sites
- Visual impact upon Dorset National Landscape
- Impact upon the use of public rights of way (PROW)

5.0 Description of Site



5.1 The site lies in central Dorset, within farmland, approximately 1km to the southwest of the village of Buckland Newton and located on Bladeley Hill. The area is attributed to the Upper Piddle Valley Character Area of the Dorset National Landscape (formerly AONB). The site is bordered by a hedge line to the North/Northwest with the ground sloping away to the east into the adjacent valley.

5.2 Access is provided through existing farm tracks which form part of the public right of way (PROW) network, specifically the farm track Bridleways S10/44 and S31/4 which links to the C road on Gales Hill.

6.0 Description of Development

6.1 This application is for the retention of a sewage sludge lagoon located on Bladeley Hill within Court Farm. The lagoon was constructed in 2022 and the planning application has been submitted in an aim to regularise the development. The purpose of the lagoon is to store sewage sludge waste, obtained from the septic tanks of domestic properties. The waste sludge is imported to the site in tankers, then kept in the lagoon, until required, at which point it is transferred to a tractor for injection into the surrounding farmland, used as fertiliser during the spring and summer months.

- 6.2 The constructed lagoon measures approximately 50m x 25m and is currently open to the air. Following a request from the Environment Agency (EA) a plastic liner was fitted to the lagoon in 2023, which was completed to the satisfaction of the EA.
- 6.3 Stock fencing separates the lagoon from the rest of the site, with stock fencing running alongside the south side of the site down into the valley.
- 6.4 Sewage sludge is imported to the lagoon by tankers (6 wheeled vehicles) along the farm track at an annual average rate of 4 movements (2 in and out) per day, which is then pumped into the lagoon. The vehicles exit the site along the farm track onto the C Road named Gales Hill.
- 6.5 To the south of the hedge are located some above ground tanks and a buried tank and container. Alongside the lagoon these tanks are also used to store imported sewage sludge for spreading on the fields and are located within the red line of the planning application site. At the time that this application has reached planning committee all above ground tanks have been removed from the site.



1. Photograph of the Lagoon (Taken 12/08/25)



2. Photograph of Storage Tanks/Containers and injecting equipment



3 View from across the valley on PROW S10/42

7.0 Background and relevant planning history

- 7.1 The exact site of the Lagoon has a limited planning history, with no previous history of permitted waste storage on the site, however, the wider Court Farm site has a series of permissions detailed below, including the installation of a waterwheel and engineering of lake banks (1/D/12/000054) and a Certificate of Lawful use to enable the repair, restoration, and maintenance of vehicles in Unit 5 of Court Farm under the use class B2.

Previous Permitted Planning Applications and Certificates of Lawful Use			
Reference	Decision	Date	Description
WD/D/18/001836	Grant	29/11/2024	Retention of landscape embankment.
WD/D/16/000717	Grant	24/10/2016	Erect horse walker
WD/D/14/003125	Grant	13/04/2015	Surface repairs to existing farm tracks and yards
1/D/12/000265	Grant	20/12/2013	Revised layout of site, various changes of uses, extensions and alterations (as set out in the description of works at Appendix 1)
1/D/12/000054	Grant	06/03/2013	Raise embankments to lakes and install waterwheel for generating electricity (revised scheme)
1/E/05/001594	Approved	11/10/2005	Application for a Certificate of Lawfulness for an existing use - use of the land for Class B1 & B2 purposes of the Use Class Order 1987
1/E/03/002179	Grant	30/01/2004	Raise level of an existing section of Ridge Hill runway

8.0 Planning constraints

- 8.1 There are a number of planning constraints either within or nearby to the existing site, as detailed below:
- 8.2 The sites access is technically through three public bridleways S31/4 and S10/44, with S10/45 branching off the access route but the end of it within the red line. The entire area falls within the Dorset National Landscape (formerly Area of Outstanding Natural Beauty) and is within a Site of Special Scientific Interest impact risk zone. To the south, Holcombe Wood an ancient and semi-natural woodland sits 377m away. In addition to these constraints, Cerne and Sydling Downs SAC and Giant Hill SSSI are located approximately 850 meters southwest from the site.

9.0 Consultation Responses

All consultation responses can be viewed in full on the website, summaries are available below

9.1 Natural England

No Objection subject to a Planning Condition (received 27/02/25)

- Requires the provision of an impermeable (e.g. plastic sheeting) lagoon cover to ensure suitable mitigation against the air quality impact upon designated sites.

9.2 Dorset National Landscape (formerly AONB) Team

Comment (received 16/10/24) regarding the following concerns

- The unauthorised importation of material to construct the lagoon
- The red line area for this application includes storage tanks and aggregate piles adjacent to the lagoon which are visible from a wide area with the tanks on the south side of the hedge being visible from relatively distant views from the east.
- Echoing the air quality impacts from the Natural England response
- The commercial aspect of the importation of sludge from septic tanks rather than farmers managing waste produced on their own land therefore makes this development more difficult to support within a sensitive countryside location.
- The potential adverse impact the site has had on the landscape and hedgerows and that the reinstatement of these hedgerows could not be considered improvement.

9.3 Environment Agency

No Objection but requesting that the following informative be included (received 04/09/24)

INFORMATIVE – Surface Water Quality

The proposed development must fully comply with the terms of The Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (England) (SSAFO) Regulations 2010 and as amended 2013. Environmental good practice advice is available in The Code of Good Agricultural Practice (COGAP) for the protection of water, soil and air (produced by DEFRA). The applicant is advised to review the existing on-farm slurry and manure storage and ensure compliance with the SSAFO Regulations.

9.4 Landscape Officer

No Objection subject to condition (received 25/09/24)

- States that site is a very sensitive location within the Dorset National Landscape
- The views through the gaps in the hedgerow of the new liner and pit form a detracting and negative element within this landscape
- A condition requiring that new sections of hedgerow should be planted to screen the site from the view of the Bridleway has been requested to mitigate the impacts.

9.5 DC Public Rights of Way

Comment (received 22/10/24)

- Informs that the access is a Bridleway and illustrating the importance of ensuring passing places are located on the access to the site to protect the users of the public rights of way.

9.6 Dorset Conservation Team

No Objection (received 18/10/24)

9.7 Highways Authority

No Objection (received 06/09/24)

9.8 Cllr Jill Haynes (Ward Member for Chalk Valleys Ward)

Comment (received 23/09/24)

- The application is retrospective within a sensitive area in the AONB and close to the source of the Linden chalk stream
- Requests that due to public concern this application should be heard at committee.

9.9 Buckland Newton Parish Council

No Objection (received 18/09/2024)

10.0 Representations Received

10.1 12 representations have been received in response to the planning application, all objecting to the development. A summary of the concerns is set out below:

- The location is unsuitable for the storage of waste
- The waste is not suited to use as a fertiliser for agriculture
- Impact of odour on the public right of way
- Use of the Public Right of way by vehicles and the potential to prevent the use of this by pedestrians and other non-motorised traffic.
- Destruction of the Hedgerow and other habitats
- Lack of Fencing around the lagoon/safety issues
- Damage to the Dorset National Landscape
- Potential Pollution of Local Watercourses

11.0 Duties

- 11.1 s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.
- 11.2 Clause 85 of the Countryside and Rights of Way Act (2000) requires Local Planning Authorities to seek to further the purposes of conserving and enhancing the natural beauty of National Landscapes (AONB). In addition, the Levelling-Up and Regeneration Act (LURA) 2023 requires public authorities through planning and decision making to ensure that proactive steps are taken to achieve positive outcomes for National Landscapes.

12.0 Relevant Policies

12.1 [West Dorset, Weymouth & Portland Local Plan 2015](#)

Policies of potential relevance to this application include:

- Policy INT1: Presumption in Favour of Sustainable Development.
- Policy ECON8: Diversification of Land-Based Rural Business
- Policy ECON9: New Agricultural Buildings
- Policy ENV2: Wildlife and Habitats
- Policy ENV9: Pollution and Contaminated land
- Policy ENV16: Amenity
- Policy COM7: Creating a Safe and Efficient Transport Network

12.2 [Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019](#)

Policies of potential relevance to this application include:

- Policy 1 - Sustainable waste management
- Policy 4 - Applications for waste management facilities not allocated in the Waste Plan
- Policy 5 - Facilities to enable the recycling of waste
- Policy 12 - Transport and Access.
- Policy 13 - Amenity and quality of life
- Policy 14 - Landscape and design quality
- Policy 16 - Natural Resources
- Policy 18 - Biodiversity and geological interest

Emerging Local Plans

- 12.3 Paragraph 49 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:
- i. the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
 - ii. the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and

- iii. the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

Dorset Council Local Plan - Dorset Council

- 12.4 The Dorset Council Local Plan Options Consultation took place between January and March 2021. Being at a very early stage of preparation, the relevant policies in the Draft Dorset Council Local Plan should be accorded very limited weight in decision making.

National Planning Policy Framework

- 12.5 Paragraph 11 sets out the presumption in favour of sustainable development. Development plan proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent, or relevant policies are out-of-date then permission should be granted unless any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF or specific policies in the NPPF indicate development should be restricted.
- 12.6 Other relevant NPPF sections include:
- i. Section 4 Decision taking (paragraphs 39, 48 – 50)
 - ii. Section 6 Building a strong, competitive economy (paragraph 85) and supporting a prosperous rural economy (paragraphs 88 and 89)
 - iii. Section 9 Promoting sustainable transport (paragraph 115)
 - iv. Section 11 Making effective use of land (paragraph 124)
 - v. Section 15 Conserving and Enhancing the Natural Environment – Habitats and biodiversity (paragraphs 187, 192 - 195 set out how biodiversity is to be protected and encourage net gains for biodiversity) and Ground conditions and pollution (paragraphs 198 and 201)

National Planning Policy for Waste (NPPW)

- 12.7 The National Planning Policy for Waste is a material consideration, and the following sections are of potential relevance:
- i. Paragraph 7: Determining waste planning applications
 - ii. Appendix B: Para D – “Considerations will include any adverse effect on a site of international importance for nature conservation (Special Protection Areas, Special Areas of Conservation and RAMSAR Sites), a site with a nationally recognised designation (Sites of Special Scientific Interest, National Nature Reserves), Nature Improvement Areas and ecological networks and protected species.”

Supplementary Planning Guidance

- 12.8 Dorset AONB Management Plan 2019-2024
- 12.9 Dorset County Council Landscape Character Assessment (Upper Piddle Valley)

13.0 Human rights

- 13.1 Article 6 - Right to a fair trial.
- 13.2 Article 8 - Right to respect for private and family life and home.
- 13.3 The first protocol of Article 1 Protection of property.
- 13.4 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.

14.0 Public Sector Equalities Duty

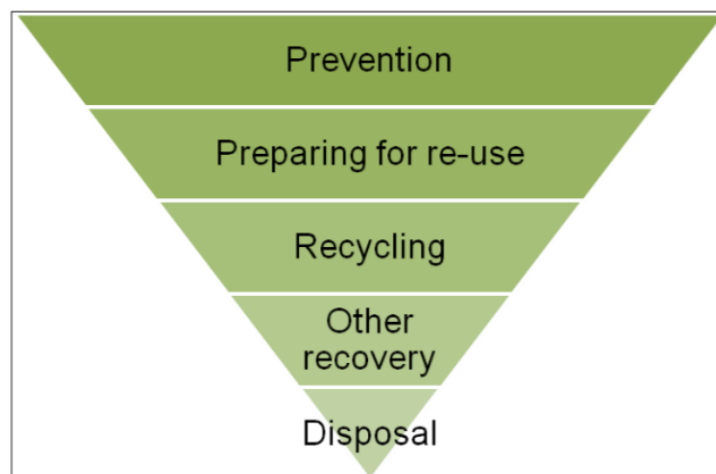
- 14.1 As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims:
 - Removing or minimising disadvantages suffered by people due to their protected characteristics
 - Taking steps to meet the needs of people with 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.
- 14.2 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.
- 14.3 This development and the process related to the application’s determination will not have any more effect on people with protected characteristics than those without protected characteristics.

15.0 Planning Assessment

Principle of Development

- 15.1 This planning application seeks retrospective planning permission for the retention of a sludge lagoon and in effect an underground tank and container that has been created to store imported sludge on Bladeley Hill at Court Farm. The sludge that is stored in the lagoon is classed as waste, and therefore the proposal is a ‘waste management operation’. The structure that has been formed to create the lagoon involved earth moving and in itself was ‘an engineering operation’ which needed planning permission. The sludge, once needed at the appropriate time of year, is then used as natural fertiliser on the fields at Court Farm.

- 15.2 The sludge is defined as waste through the EC Waste Framework Directive which defines waste as “any substance or object which the holder discards or intends or is required to discard”. Sewage Sludge in this context is the content of septic tanks, which is therefore waste and needs to be disposed of.
- 15.3 In terms of the principle of development, the main material considerations to be assessed relate to the following issues:
- Principle of a waste management use taking place on a non-allocated site in the countryside
 - Waste Hierarchy and re-use of waste
 - Sustainable waste management
 - Location of a non-allocated waste site within the National Landscapes
- 15.4 Waste Plan Policy 1 Sustainable Waste Management requires that proposals should contribute to moving waste up the waste hierarchy and to demonstrate that waste is being managed at the highest appropriate level, they should adhere to the proximity principle through being appropriately located relative to the source of the waste, and self-sufficiency where facilities enable the area to move towards net self-sufficiency. The Waste Hierarchy aims to prevent waste in the first place, but when waste is created, it gives priority to preparing it for re-use.



4 The Waste Hierarchy (NPPW 2014)

- 15.5 The vision for sustainable waste management in Bournemouth, Christchurch, Poole and Dorset is that waste management facilities will have optimised waste prevention at source, pushed waste management up the waste hierarchy, maximised the re-use of waste as a resource and contributed to the achievement of a circular economy. Waste management facilities are expected to be flexible, appropriately sized, located, designed and operated to minimise adverse impacts on the local road network and climate change and seek to

enhance local amenity, the natural and built environment whilst meeting the needs of communities and businesses.

- 15.6 This proposal does push waste up the waste hierarchy, as the sludge is re-used after storage as a fertiliser on the fields. It can also be considered to contribute to the circular economy as it reuses other waste to act as a fertiliser for farming.
- 15.7 As a new waste management facility outside of the allocated sites in the BCPDWP 2019 the site will need to meet the criteria set out in Policy 4: Applications for waste management facilities not allocated in the Waste Plan.
- 15.8 These criteria consist of the following:
- a. there is no available site allocated for serving the waste management need that the proposal is designed to address or the non-allocated site provides advantages over the allocated site;*
 - b. the proposal would not sterilise, or prejudice the delivery of, an allocated site that would otherwise be capable of meeting waste needs, by reason of cumulative or other adverse impacts;*
 - c. the proposal supports the delivery of the Spatial Strategy, in particular contributing to meeting the needs identified in this Plan, moving waste up the waste hierarchy and adhering to the proximity principle; and*
 - d. the proposal complies with the relevant policies of this Plan.*
- 15.9 To establish the principle of the lagoon being located where it has been built, these criteria will be addressed in turn, starting with criterion a. There are two sites operated by Wessex Water and utilised for the treatment of septic tank waste produced by residents of Dorset (namely Poole Water Recycling Centre and Yeovil Pen Mill treatment works). These are also used by the applicant when there is no capacity for storage at the application site, and the final use of the waste remains as a fertiliser, albeit after more treatment. The advantage of this non allocated site lies in its ability to substantially shorten road miles of some Septic Tank waste collected in the vicinity, whilst still providing an outlet for this waste used as fertiliser, which meets regulations set out by the Environment Agency and DEFRA. This drives waste up the waste hierarchy by ensuring reuse.
- 15.10 When addressing criterion b there are no allocated sites that are proposed to be for the disposal of septic tank waste within the plan area. This proposal would therefore not impact delivery of sites currently allocated within the waste plan. Additionally, although there are other water treatment works in the area, only those in Poole and Yeovil accept septic tank waste and these are located some 14 and 27 miles away respectively from this site. This facility is small scale with a maximum storage capacity of 1,250 tonnes and operates as a local addition to these existing large-scale facilities.

- 15.11 Criterion c is fulfilled through the reuse of the waste as fertiliser rather than needing to go to a wastewater treatment works. This would enable the waste to be addressed at its highest point within the waste hierarchy close to where the waste is generated, rather than needing to be transported to Poole or Yeovil for treatment, therefore adhering to the proximity principle by managing waste close to its source.
- 15.12 However, when addressing Criterion d, this planning application is seeking permission for not only the lagoon, but also other adjacent structures which comprise of above ground metal tanks and a below ground container and tank. These other above ground structures, located within the red line of the application site boundary, do not comply with all the other policies in the Waste Plan due to their adverse visual impact upon the Dorset National Landscape. This is discussed further within the Landscape section.
- 15.13 Waste Plan Policy 4 also requires that proposals should be located in the following locations:
- e. within allocated or permitted employment land which allows for Class B1, B2 and/or B8 uses; or*
 - f. within or adjacent to other waste management and/or complementary facilities where the proposed use is compatible with existing and planned development in the locality; or*
 - g. on previously developed land suitable for employment or industrial purposes.*
- 15.14 The site is clearly not located within any of these locations listed in criteria e, f, and g, however, Policy 4 goes on to say that waste management facilities may be suitable in an agricultural setting where the proposed use and scale is compatible with the setting and provides opportunities to utilise outputs from the process in the locality and provides advantages over the locations specified in e-g.
- 15.15 In this case the lagoon itself is located within an agricultural setting where the proposed use is compatible with the setting, through it being used as storage for waste to be used as fertiliser. The scale of the lagoon is also compatible with the setting, being small when considered from potential viewpoints such as bridleways which show a minimal impact on the landscape, especially following the restoration of the hedge. The sludge is used within the farm providing an advantage over the other methods of septic tank waste disposal by driving waste up the waste hierarchy and meeting the proximity principle. This approach does not however apply to the above ground tanks located within the red line and adjacent to the lagoon as these are not of a scale which is compatible with the setting due to their visual impact upon the protected landscape (Dorset National Landscape), these tanks have been conditioned to be removed and at the time of this planning committee these tanks have been removed from the site.

- 15.16 It should be noted that Policy 4 also states that sites will only be permitted where it has been demonstrated that possible effects that might arise from the development would not adversely affect the integrity of European and Ramsar sites. Although it has been established that there is a possibility of an impact of effects on these European sites from emissions resulting from storing this waste, Natural England has concluded that the emplacement of an impermeable cover will mitigate these adverse effects, and this has also been agreed by Dorset Council's own Habitat Regulations Assessment (HRA) and Appropriate Assessment. This emplacement of an impermeable cover has therefore been added as a planning condition.
- 15.17 The principle of the development is supported by a number of local and national policies. Policy 1 – Sustainable Waste Management of the Bournemouth, Christchurch, Poole and Dorset Waste Plan (2019) (BCPDWP) states that the Waste Planning Authority should “work proactively with applicants to promote the circular economy”. The storage of septic tank waste for further reuse as fertiliser enables this waste loop to be closed and the farm to act in accordance with the principles of the circular economy, therefore complying with Policy 1 of the BCPDWP. In addition to this Policy 4 of the BCPDWP also supports the principle of the development, but only when considering the application without the above ground tanks which are also used to store septic tank waste and visible from numerous viewpoints within the Dorset National Landscape.
- 15.18 The principle is also supported by Section 6 of the NPPF which states that planning decisions should enable the development and diversification of agricultural and other land-based rural businesses, as well as policy ECON8 - Diversification of Land-Based Rural Business of the West Dorset, Weymouth & Portland Local Plan (2015). By enabling the storage of sewage sludge at this location, the proposal enables year round storage of this waste and therefore allows collection of this waste outside of the periods that the waste can be injected (Sludge cannot be injected between October-February per the Nitrate Pollution Prevention Regulations 2015), therefore enabling the not strictly agricultural element of the business to operate year round and supporting the diversification of the farm's businesses whilst supporting the farm's agricultural operations.
- 15.19 Although not strictly a planning consideration, it should be noted that the lagoon must be operated with regard to the EA regulatory regime which control the waste's storage and use. The sludge is stored under the S3 waste exemption ([guidance here](#)) which allows the waste to be stored without the need for an Environment Agency waste permit provided that this exemption has been registered with the Environment Agency and that it will be used in accordance with the Sludge (Use in Agriculture) Regulations 1989 ([guidance here](#)), that it does not exceed 1,250 tonnes, and that it is “secure”.

Landscape and Dorset National Landscape

- 15.20 The site is located within the Dorset National Landscape (formerly Dorset AONB). It is within an area defined within the landscape character assessment as being part of the upper Piddle valley character area.

- 15.21 This character area is considered in the Dorset County Council Landscape Character Assessment to be of undeveloped rural character with enclosed V shaped chalk valleys rising to open uplands.
- 15.22 The site is visible from both the public right of way (Bridleway S10/44) running northwest of the site and from across the valley to the east on Hilling Lane. The site is predominantly hidden from Bridleway S10/44 by a hedgerow running along its length, with the exception of a gap in this hedgerow at the northern eastern edge of the site boundary. It appears that this gap originated during the construction of the lagoon.
- 15.23 To screen this gap and to repair the hedge, the applicant has planted a new hedge within this gap. To ensure that this has the desired effect, a condition was previously required by the Dorset Landscape team for the provision of a planting scheme to be approved by the waste planning authority. However, this condition is no longer required as a result of the hedge already being planted.
- 15.24 At the time of application, the site had numerous pieces of equipment and stockpiles located in the vicinity of the site. These included storage tanks stored to the north of the hedge, a stockpile of aggregate material for the repair of tracks within the farm and storage tanks and pumping equipment directly associated to the operation of the lagoon to the south of the hedge.
- 15.25 The storage tanks to the north of the hedge have been removed from the site, and the stockpile of aggregate also was removed from the site in May.
- 15.26 Within the red line and to the south of the hedge there is an underground tank and a sunken container, in addition to a mobile storage tank and additional above ground tank which have been used to store the sewage sludge. The applicant argues that the below ground tanks have been in place for over 10 years and are therefore lawful, but although I can see some evidence of ground disturbance in historical aerial photographs, I am unable to confirm that these tanks and containers have been in this location for the required 10 years and no evidence has been provided by the applicant to corroborate this. As such the non-mobile tanks also form part of the application.
- 15.27 The above ground storage tanks which are currently used to store Sewage Sludge are also noted within the Dorset National Landscape response as being visible in relatively distant views to the east. The above ground storage tank has since been removed from the site and the mobile storage tank will also have been removed from the site when this application is determined by the planning committee.
- 15.28 When considering the application, the development needs to be in accordance with Policy 14 of BCPDWP (2019) – Landscape and design quality. This policy states that when considering major development within the Dorset National Landscape (named AONB within the policy), the development must demonstrate that all the below criteria are met and the benefits of planning permission outweigh any residual adverse impacts:

- i. they would meet an identified need and there are no suitable alternatives for meeting the need;*
- ii. they have taken account of the AONB Management Plan objectives and policies when addressing criteria a-c of this policy; and*
- iii. there would be sustainability benefits of siting a development that meets a local need within an Area of Outstanding Natural Beauty*

15.29 When considered against (i), the lagoon's function is as a place to hold septic tank waste sourced from the surrounding area. The sewage sludge is then used as a fertiliser on the surrounding fields. There are no other nearby alternatives that could meet the need for this particular use as discussed when establishing the principle of the development. The nearest alternatives for the disposal of this waste are Yeovil and Poole WWTW: these are some 14 and 27 miles from the site but do not offer the same advantages as this site when considering the site's proximity to where the final use of this waste as fertiliser occurs.

15.30 When considered against (ii) the lagoon itself has greened up and to some degree blends in with the surrounding landscape when considered from the public right of way to the southeast of the site. When considered from the public right of way to the immediate north of the site there is some visibility of the lagoon through the gaps in the hedge line, however now that planting has been undertaken to replace the lost hedge, the lagoon will be obscured from this viewpoint. This however does not apply to the above ground non mobile tanks used for the storage of sludge. These are visible from the south/east of the site and are not in keeping with the "undeveloped rural character" of the upper Piddle Valley character area. These tanks, rather than conserving and enhancing the National Landscape, actively harm it, and the benefits delivered towards the circular economy and by driving the waste up the waste hierarchy are outweighed by adverse visual impact that the continued siting of these tanks cause. At the time of the planning committee, the above ground tanks shall have been removed from the site, with any impacts from the equipment associated with the lagoon mitigated by the planning condition requiring a planting scheme at the south side of the site screening the operations of the lagoon.

15.31 The Dorset National Landscape response illustrates some key policies from the AONB Management Plan that are relevant when considering this application, these consist of policies C1a, C2d, C2e, and C2f.

15.32 Although it could be considered that the lagoon is not visible and the waste it stores is used to continue to conserve the rural character of the National Landscape through its use as fertiliser to support farming, there is little justification that this development enhances the National Landscape. Therefore, to meet Policy C1a the site must be necessary and in the public interest. The support of farming operations which feed the nation and in this case support other needed agriculture through the use of this waste as fertiliser can certainly be considered as in the public interest and there is a clear need for locations to dispose of septic tank waste. As discussed earlier however, this

negligible impact of the siting of the lagoon does not extend to the placement of the above ground non mobile tanks which were used to store this waste in addition to the lagoon.

- 15.33 When considering policy C2, the continued siting of the lagoon has a negligible impact upon the National Landscape, however this also does not extend to the above ground non mobile tanks which were used to store this waste in addition to the lagoon. Their impact is visible for some distance and does not blend into the landscape in the same manner as the lagoon.
- 15.34 Considering the application against (iii) the chief sustainability benefit of this development lies in the reduced road mileage required to dispose of septic tank waste therefore meeting the proximity principle. Further benefits are provided by driving the waste up the hierarchy, preventing the need for treatment and allowing this waste to be reused close to its source to support local need in the form of farming operations.
- 15.35 In addition, Section 85 of the Countryside and Rights of Way (CROW) Act 2000 states that when determining an application an authority must seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty (now National Landscape).
- 15.36 The development as it now stands following the removal of the above ground tanks conserves the natural beauty of the National Landscape, the additional mitigation of a further hedge across the south side of the site conditioned under condition 5 of this planning application enables the existing agricultural equipment on the site to be screened and therefore contributes to enhancing the natural beauty of the National Landscape.
- 15.37 Following the assessment of the site with regards to the impact upon the landscape, it is clear that the visual impact of the development is negligible when viewing this purely in relation to the installation of the lagoon. However when considering the additional equipment on the site, such as the above ground tanks and containers which were used to store sewage sludge, the impact becomes considerably worse, with these structures being visible from a distance. These views harm the Dorset National Landscape and therefore this aspect of the application becomes unacceptable. It can therefore be concluded that although the lagoon itself can be seen to be acceptable, this acceptability does not apply to the above ground ancillary tanks being located on the site. Therefore, for this development to meet the requirements of the development plan policies it becomes necessary to remove all the above ground tanks from the site leaving only the lagoon and below ground tanks remaining as a small-scale receptacle for sewage sludge to be used at a later date as fertiliser.

Transport and Public Rights of Way

- 15.38 The site is accessed along the public right of way Bridleway S10/44. This land is owned by the operator and is an established farm track, providing the access route to the fields and barns located alongside this Bridleway.

- 15.39 The development proposes that sludge be imported to the site on an annual average of twice per day, five times per week, and the traffic generated from these movements is not considered by the highways authority to have an adverse impact on the highways network, however to allow flexibility but still control the number of movements, a daily maximum of five importations per day has been conditioned.
- 15.40 However, as the access to the site is along a bridleway, even though the number of movements is minor, Paragraph 12.36 of the BCPDWP states that whilst development of waste facilities can impact upon public rights of way, in cases such these it is important to safeguard and improve these assets to enable these paths continue to be enjoyed.
- 15.41 To ensure the safety of the users of the Bridleway, the Public Rights of Way team has highlighted the need for passing places along the bridleway to ensure that vehicles can give way to other users and therefore ensure that the development accords with Policy 12 of the BCPDWP. A map with the locations of passing places has been submitted (BP/241/P/10), and details of how they will be maintained has been conditioned to ensure that these passing places remain usable. This demonstrates a commitment to improving the right of way by improving the situation that arises when vehicles are using this farm track at the same time as other more vulnerable users.

Air Quality and impact upon protected sites

- 15.42 The application is approximately 850m from the Cerne and Sydling Downs SAC and the Giant Hill SSSI which are protected by the Conservation of Species and Habitats Regulations 2017.
- 15.43 Policy 18 of the BCPDWP (2019) requires that waste management facilities must not adversely affect the integrity of European or Ramsar or other internationally designated sites. The policy also requires that that proposals will only be permitted where adverse impacts on biodiversity will be avoided, adequately mitigated or compensation results in the maintenance and enhancement of biodiversity.
- 15.44 As part of the general requirements for all applications relating to slurry and sludge lagoons, Natural England requested that a SCAIL report (Simple Calculation of Atmospheric Impact Limits) be submitted to ensure that emissions from ammonia do not impact upon designated sites.
- 15.45 Following the submission of a further air quality report to address the differences related to Sludge lagoons in comparison to slurry lagoons and queries regarding the calculation of emissions from the site, Natural England concluded that the lagoon in its current guise would have an unacceptable impact on the Cerne and Sydling Downs SAC which is already in exceedance of acceptable emissions in terms of both Ammonia and Nitrogen Deposition.
- 15.46 However, Natural England have confirmed that by placing an impermeable cover onto the lagoon which prevents the escape of these emissions the impact of this lagoon is greatly reduced and effectively mitigated.

- 15.47 A Habitats Regulation Assessment has been produced by Dorset Council to assess the impact of this lagoon on these protected sites. This has concluded that as currently operated the lagoon has an unacceptable impact on protected sites.
- 15.48 However, the appropriate assessment also conducted by Dorset Council has concluded that the mitigation measures in the form of the lagoon cover will prevent further impact upon the protected sites. Natural England has been consulted upon this Appropriate Assessment and they have not provided any further comments.
- 15.49 Therefore, to ensure that there is no further impact upon these protected sites, an impermeable cover will be required to be installed onto the lagoon preventing the escape of these emissions. This will satisfy the requirements of Natural England, as well as the requirements of Policy 18 of the BCPDWP (2019) by adequately mitigating the impact upon the designated sites.

Amenity Impacts

- 15.50 The location of the lagoon is approximately 55 metres away from the public right of way and is at some points visible from this route. The site's proximity to this right of way as well as the use of the bridleway as the access road has the potential to harm the amenity of those using it. However, the limited numbers of movements as well as the use of passing places to enable the delivery vehicles to pull over to enable vulnerable road users to pass means that this impact is effectively mitigated. In addition to this the repair of the hedge will effectively minimise the views from the bridleway.
- 15.51 In addition to the visual and transport impacts upon amenity, there is also the possibility of odour impacts upon those using the Bridleway. These impacts from the storage of this waste will be limited to those as they transit past the site, and such odour impacts are to be expected within an agricultural setting such as farmland. Considering the impact will only be upon those as they transit past the site, this impact is considered minimal.
- 15.52 Therefore, it can be considered that subject to the necessary conditions outlined within this report the impact upon amenity has been mitigated to an acceptable level and is therefore in accordance with Policy 13 of the BCPDWP.

16.0 Conclusion

- 16.1 In conclusion, the proposed development of the sludge lagoon at Court Farm for the storage of imported sludge to be used as natural fertiliser aligns with both local and national policies supporting sustainable waste management and agricultural diversification provided that the existing above ground tanks used for the storage of sludge are removed. Following the removal of the above-mentioned tanks, the principle of development is supported by Policy 1 and 4 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan (2019), and Section 6 of the National Planning Policy Framework (NPPF), as well as Policy ECON8 of the West Dorset, Weymouth & Portland Local Plan (2015).

- 16.2 The development's impact on the Dorset National Landscape has been carefully considered, with mitigation measures such as hedgerow planting and the removal of existing above ground tanks to minimize visual intrusion. The proposed planting schemes will ensure that impact upon landscape character is prevented.
- 16.3 Transport and public rights of way considerations have been addressed with the inclusion of passing places along the bridleway to ensure the safety of all users. The limited traffic generated by the development is not expected to adversely impact the local highways network.
- 16.4 Air quality concerns have been mitigated through the requirement of an impermeable cover for the lagoon, ensuring that emissions do not negatively affect nearby protected sites. This measure satisfies the requirements of the Conservation of Species and Habitats Regulations 2017.
- 16.5 The amenity impacts, including visual and odour concerns, have been deemed minimal and acceptable with the implementation of the proposed conditions. The development is therefore considered to be in accordance with Policy 13 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan.

Recommendation: Grant Planning Permission subject to the following conditions:

1. Plans List – Approved

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

Location Plan - BP/241/P/03

Site Plan – BP/241/P/01

Section A-A - BP/241/P/02

Land Ownership Boundary - BP/241/P/04

Plan Showing Passing Places - BP/241/P/10

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

2. Air Quality Mitigation

A suitable impermeable lagoon cover which is an effective mitigation measure for air pollution must be fitted by the 31 March 2026, details of which will be submitted to the Waste Planning Authority for approval in writing within 1 month of the date of this permission.

Reason: To satisfactorily reduce the potential impact of airborne nutrients upon Cerne and Sydling Downs SAC.

3. Removal of Equipment and Aggregate Stockpiles

All above ground non mobile plant, structures, tanks, containers and aggregate stockpiles shall be removed from the site within 3 months of the date of this permission.

Reason: In the interest of protecting the setting of the Dorset National Landscape.

4. Removal of Equipment

All non-mobile tanks and containers that have been removed from the application site shall not be located anywhere within the area outlined in blue under plan Land Ownership Boundary - BP/241/P/04.

Reason: In the interests of protecting the setting of the Dorset National Landscape and ensuring the low level permitted waste use is located solely on the application site.

5. Planting Scheme

A suitable Planting Scheme for the replacement of the area of hedge illustrated on Site Plan BP/241/P/01 on the southern boundary of the site shall be submitted to the Waste Planning Authority for approval in writing within 3 months of the date of this permission. The approved planting details shall be implemented in the first available planting season following approval.

Reason: In the interest of protecting the setting of the Dorset National Landscape.

6. Passing Place Details

The passing places as illustrated on plan Passing Places BP/241/P/10 shall be maintained for the duration of the development.

Reason: In interest of ensuring the integrity of Bridleway S10/44

7. Restriction of Vehicle movement numbers

The total number of daily sludge tanker movements depositing waste into the lagoon and underground tanks as marked on Plan Site Plan BP/241/P/01 shall be limited to 10 (5 in and 5 out). Records of these movements are to be maintained, and on receipt of reasonable notice, copies of these records are to be made available to the Waste Planning Authority for inspection.

Reason: To regulate the movement of heavy traffic associated with the lagoon in the interests of amenity for local residents and to protect users of the right of way.

8. Permitted Waste Quantity

A maximum of 1250 tonnes of sewage sludge shall be stored within the lagoon. A method and schedule for marking the maximum 1250 tonnes of Sewage Sludge permitted within the lagoon shall be submitted to the Waste Planning Authority for approval in writing within 3 months of the date of this permission.

Reason: To control the form of the development in the interests of amenity and in the interest of protecting the character of the Dorset National Landscape.

9. Equipment and Vehicle Storage

No commercial vehicles or HGV's shall be kept or stored on the site overnight.

Reason: In the interest of protecting the setting of the Dorset National Landscape.

10. Gate Lock

The field gate at the entrance to the sludge lagoon shall remain locked at all times, unless sludge deliveries or agricultural activity are taking place.

Reason: In the interests of public safety on site.

Informatives:

1. The development must fully comply with the terms of The Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (England) (SSAFO) Regulations 2010 and as amended 2013. Environmental good practice advice is available in The Code of Good Agricultural Practice (COGAP) for the protection of water, soil and air (produced by DEFRA). The applicant is advised to review the existing on-farm slurry and manure storage and ensure compliance with the SSAFO Regulations.
2. The development must fully comply with the terms of S3 waste exemption: storing sludge of the Sludge (Use in Agriculture) Regulations 1989. All waste imported to the site should be stored and used in accordance with the Sludge (Use in Agriculture) Regulations 1989.