

Application Number:	P/FUL/2021/02046
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	Land at Park Farm Access to Park Farm Gillingham
Proposal:	Construct solar photovoltaic farm, battery storage and associated infrastructure, including inverters, batteries, substations, security cameras, fencing, access tracks and landscaping.
Applicant name:	Fern Brook Solar Farm Ltd
Case Officer:	Ross Cahalane
Ward Member(s):	Cllrs Val Potheary, Belinda Ridout and David Walsh

1.0 Summary of recommendation:

REFUSE for the following reason:

1. The following identified harms are, in combination, considered to form adverse impacts that would significantly and demonstrably outweigh the benefits arising from the proposal:
 - a) The proposed development, by reason of its appearance, scale and positioning within the setting of surrounding Heritage Assets (which includes the surrounding landscape), would lead to unacceptably adverse harm to the significance of these Heritage Assets and their setting. This harm is considered "less than substantial" having regard to the National Planning Policy Framework (NPPF), but is not outweighed by the identified public benefits arising from the proposal. The proposal is therefore contrary to Policies 5 and 22 of the adopted North Dorset Local Plan Part 1 (January 2016), retained policy GRF1 of the North Dorset District-Wide Local Plan 2003, and Chapter 16 of the NPPF.
 - b) The proposed development, by reason of its appearance, scale and location within a valued landscape (including views from rising topography along Public Footpath N69/7), would lead to unacceptably adverse harm to the character of this landscape (including its recreational, scenic, tranquil and natural/cultural heritage attributes), contrary Policies 4, 5 and 22 of the adopted North Dorset Local Plan Part 1 (January 2016), retained policy GRF1 of the North Dorset District-Wide Local Plan 2003, policies MOT5 and MOT7 of the Motcombe Neighbourhood Plan 2019 and paragraph 174a) of the NPPF.

c) The surrounding Heritage Assets referred to in a) above are:

Designated Heritage Assets

i) Kings Court Palace Moated Site (Scheduled Monument 1017276)

ii) Gillingham Park Boundary Bank (Scheduled Monument 1002382)

iii) Remains of East Haimes House and Adjacent Deer Park Pale (Scheduled Monument 1465898)

Non-designated Heritage Assets

iv) Gillingham Forest Deer Park (Monument MDO27854)

v) Sections of Park Pale (Monument MD03873)

vi) Donedge Lodge Farm (Locally Listed Building)

2.0 Reason for recommendation

- The public benefits of the development are not considered to outweigh the cumulative harm caused to the character and specific attributes of the site forming part of a valued landscape, the significance and setting of heritage assets and their intrinsic relationship with this rural and valued landscape. The proposed development would therefore also be contrary to the objectives of the Gillingham Royal Forest Project Area.

3.0 Key planning issues

Issue	Conclusion
Principle of development	The benefits of the proposed renewable energy are accepted, although the site is located within the Gillingham Royal Forest project area and the setting of a number of heritage assets.
Residential Amenity	Not considered to be significant as to merit withholding of permission for this reason.
Heritage Assets	Less than substantial harm to the significance of surrounding heritage assets is identified, including the contribution made by their setting.
Visual Amenity and Landscape	Cannot be successfully assimilated into the receiving valued landscape, as its industrial character and scale will be visually intrusive and unacceptably harmful to the surrounding valued landscape.
Highway Safety	No severe highways issues would arise, subject to conditions.
Biodiversity	Initial concerns have now been addressed, subject to planning conditions and s106 contribution towards enhancements of the Gillingham Royal Forest area.
Flooding	Proposed layout avoids areas of surface water and fluvial flood risk from main river.

Rights of Way	Proposal includes improvements to public footpath within the site – details subject to agreement with the Council’s Senior Ranger who raises no objection.
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4.0 Description of Site

The application site measures approximately 33.06 hectares, or 39.10ha including the cable connection to Shaftesbury substation to the east. Vehicular access is via the B3081 (Shaftesbury Road) to the south and up through the Park Farm tracks. The site is located approximately 600m east of Gillingham and 1km west of Motcombe village.

The site comprises four grazed pasture fields bounded by managed hedgerows and offsite woodland and scrub. It is bordered to the west, south and east by more agricultural land, and to the north by an area of ancient woodland (King’s Court Wood). The site is relatively isolated, with the closest farmsteads containing residential properties over 240 metres to its north east.

There is a Bridleway within part of the northern and north-western boundary of the site, forming part of the White Hart Link which also links Gillingham with Motcombe. The Fern Brook river runs along the western and southern boundaries of the site. Two unnamed watercourses are located within the site.

The site is within the setting of several Scheduled Monuments, two areas of Ancient Woodland, and a dwelling identified as a non-designated heritage asset. It is also within Gillingham Forest Royal Deer Park, which is recorded as a non-designated heritage asset (monument).

5.0 Description of Development

The proposed development comprises the construction and operation of a solar photovoltaic farm with associated infrastructure. The proposal includes the following:

- rows of solar PV panels (proposed site plan indicates approx. 105 rows across four fields when counting from north to south – with the field boundaries retained)
- 12 inverters and transformers and 12 battery containers (within containerised units similar to shipping containers)
- one Distribution Network Operator (DNO) substation and one customer substation
- an approx. 4.5 km cable route to Shaftesbury substation
- internal access tracks
- internal buried cabling
- perimeter fence
- CCTV cameras.

Vehicular access (for Distribution Network Operators) would be from B3081 Shaftesbury Road (via Park Farm) to the southwest, utilising the existing highway access point and farm tracks in the holding.

Amendments to the scheme were submitted following initial consultation responses, comprising the following key design changes:

- additional shrub planting along the northern site boundary

- removal/relocation of small section of panels near northeast and western site boundaries to facilitate additional planting
- additional tree planting along part of the east and west boundaries, and
- improvements to Public Right of Way (PRoW) within northwest corner of the site

6.0 Relevant Planning History

P/ESC/2021/00740 – Request for EIA Screening Opinion under Section 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 for a proposed solar farm with battery storage and associated infrastructure

Decision: EIA Development (19th May 2021)

7.0 List of Constraints

Bridleway E69/6 within northwest section of site.

Adjacent beginning of Footpath N69/7 to north

Agricultural land Grade 3/4

Within Gillingham Royal Forest Project Area

Adjacent Ancient Woodland and Sites of Nature Conservation Interest

Within setting of designated and non-designated heritage assets

Consultations

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

Consultees

Ancient Monuments Society - objection

- Given relatively unaltered setting and relationship of important Scheduled Ancient Monuments (SAMs), the development, being sited between these SAMs, would result in a disconnection of these inherently related sites and cause considerable harm to their setting and significance. Therefore fails to meet NPPF requirements.

Council's Contaminated Land Consultants

- Contaminated land site investigation should be undertaken in a tiered manner that is subject to planning conditions. Evident that vicinity has been heavily involved in agricultural practice and there have been some significant changes to landform
- Concerned with risks to construction workers, site visitors and maintenance crews following development. Unlikely that development will disturb contamination in a manner that will affect controlled waters. Also unlikely to be extensive voids created through construction phase to present risk from ground gas. If not the case, provision of a phase one site investigation will identify any such concerns.

Cranborne Chase AONB Team - objection

- In 2019 this AONB was designated the 14th International Dark Sky Reserve
- Concerned about light pollution. Should be a lighting strategy, prior to a decision, that complies with International Dark Sky Reserve criteria
- Non-Technical Statement of the ES is inadequate in considering visual impacts – including the time of year and the location and number of viewpoints from AONB

- Proposal is extensive and industrial, effectively converting agricultural land into a site primarily for energy generation
- Would be seen in the context of the southern Gillingham extension - the cumulative adverse impacts are not identified and evaluated
- Important view from Castle Hill, Shaftesbury, has not been considered
- Mitigation planting to take 15 years to achieve screening is far too long
- Proposal will be a substantial and unusual feature in views from this AONB
- If minded to approve, AONB will expect that adverse impacts in setting of AONB will be compensated for – e.g. annual payment to conserve and enhance natural beauty as set out in AONB's Management Plan

Dorset Wildlife Trust – objection/comments

- Object on grounds of impact development in this location will have on aims of Gillingham Royal Forest (GRF) Project, a partnership project which promotes access to countryside, enhancement of historic landscape and restoration of ecosystems within farmed landscape, of which DWT is a key partner
- Insufficient ecological information provided to assess impacts upon biodiversity

Gillingham Royal Forest

- Concerns over impacts on landscape, viewed locally, from Cranborne Chase AONB, and on the enjoyment of Rights of Way - especially as proposed development lies immediately adjacent a well-used bridleway between Motcombe and Gillingham, which forms part of the White Hart Link circular route, and is visible from the connecting footpath. GRF project has already supported significant capital works to improve the bridleway and accessibility for a wider sector of the local population, by improving surfaces for easier access and replacing stiles with gates to facilitate accessibility for people with limited mobility. Location of proposed development immediately adjacent is likely to significantly limit the benefits delivered to local communities through this work
- Though hedgerow screening is proposed, a solar farm will impact on views to open countryside and is likely to create a more urban feel, contradicting the aim of Policy GRF1 to promote and enhance area as greenspace

Sites of Nature Conservation Interest (SNCI)

- Welcome proposed 15m buffer to be retained adjacent King's Court Wood and planting of new species rich hedgerow adjacent to development boundary to screen the woodland and provide additional buffer from the development. However, will have impacts on the connectivity of the habitats and the wider availability of the landscape for wildlife

Dorset Ecological Networks

- Parts of the site are also mapped as part of the potential Dorset Ecological Network. These areas have been identified as important habitat areas to support biodiversity, as well as the overall ecological function of the landscape. Desirable to see the landscaping measures and biodiversity enhancement to include areas outside the application site, to enable the proposals to actively work towards enhancement of the ecological network and the historic landscape

- Woodland planting to connect two SNCI areas to west of proposed development would be highly desirable to contribute towards the enhancement of the ecological networks and contribute towards the aims of Policy GRF1 and the GRF Project

Construction Environmental Management Plan (CEMP) and Landscape & Ecological Management Plan (LEMP)

- If application is approved, A CEMP must provide full details of working practices to safeguard buffers and retained habitats on site and minimise indirect impacts of construction phase. If such measures are agreed, secured through pre-commencement planning condition and implemented, proposal is unlikely to have direct adverse impacts on SNCI
- Also requires a LEMP to be submitted for review by Dorset Council's Natural Environment Team (NET), in line with the Dorset Biodiversity Appraisal Protocol (DBAP). Recommend that permission is not granted until a valid Certificate of Approval is issued by NET for any submitted LEMP, and its implementation secured through a planning condition.

Biodiversity Net Gain (BNG)

- Ecological Assessment (dated May 2021) includes a claimed BNG of 14% for Habitat Units and 38% for Hedgerow Units. However, not clear that site baseline assessment and proposed post-development habitats support this. Request that more detailed supporting information is provided for BNG to be properly reviewed
- Also consider it essential that habitat maps are included in support of the calculations, identifying the pre- and post-development habitats on-site and making it clear which areas are to be lost, retained, enhanced and created. Significant discrepancy between survey map showing boundary of survey site with Phase 1 habitats included in the Ecological Assessment report, the submitted Location Plan (dated 09/04/2021) and the Landscaping Proposals (EIA Figure 6.9) - making it very difficult to assess what boundary is being used in this calculation and where the areas of habitat being considered are
- Essential that post-operational landscape retains the biodiversity gains to ensure that measurable biodiversity net gain is delivered in the long-term.

Re-consultation comments

- Continue to object to principle of proposal in this location, as it is perceived to conflict with the aims of the Gillingham Royal Forest Project which is working to enhance the way that people are able to experience and value the natural, cultural and historic heritage of the area
- Welcome the additional proposals for tree planting and hedgerow enhancement within amended submission. Also welcome additional information provided by the submitted Biodiversity Net Gain (BNG) Report (October 2021) - it has taken on board the amendments suggested and clarity requested in previous response
- If minded to approve the application, DWT recommend that in addition to on-site measures secured to enhance setting of the development, a financial contribution is made to support work within wider GRF Project Area, to be administered by Dorset Council. This should be used to support work that will contribute towards the aims of saved Policy GRF1 by enhancing landscape through woodland planting and promotion of countryside recreation and tourism activities

Historic England - objection

- Previously provided advice as part of screening application. Consider that the proposed Fern Brook solar farm at Park Farm, Gillingham would result in unacceptable harm to the significance of the highly designated and nationally important heritage assets from development within their setting
- Application area is within a Scheduled Monument known as Gillingham Park boundary bank (National Heritage List Entry 1002382)
- Gillingham Deer Park is known to have been in existence by the end of the 13th Century and is associated with Kings Court Palace moated site, a fortified royal residence and hunting lodge dating from around 1228 (Scheduled Monument 1017276). Palace is at north-west end of the former royal deer park
- To the north but associated with Palace site is Remains of East Haines House and the adjacent section of the deer park pale (Scheduled Monument 1465898)
- Park pale is clearly discernible through extant field boundaries and hedges, and in some sections, earthworks
- Gillingham was an important medieval Royal Deer Park, the boundary of which remains recognisable in the landscape
- Proposed development would have harmful impact on setting of park pale through transforming base-line historic setting from open rural farmland of historic fields to industrial-scale solar farm. Potentially impact visual and associative relationships
- Ability to appreciate and understand the significance of the Royal Deer Park would be diminished by the proposal and the conservation strategy should be to conserve the monument and not develop within its setting
- As the Deer Park is associated with the scheduled Royal palace, great weight should be given to its conservation
- Proposal is harmful as a result of marked change from rural landscape to large industrial development with fields of PV panels and associated infrastructure, including perimeter fencing
- Development would result in harm in these views and to the significance derived from this aspect of the setting of this historic, scheduled landscape

Re-consultation comments

- Still consider that the degree of harm caused would be less than substantial, as defined by the NPPF
- Given the significance of the heritage assets here and the contribution to that significance made by their settings, clear and convincing justification is needed if there is loss or harm and - can see no clear evidence that the harm is justified
- As previously stated, no amount of screening or planting could reduce the impact this development would have to the significance of the heritage assets here
- Our advice stands and as was clearly stated at the outset, do not consider that our objection can be overcome by providing further information, reducing the scale of the proposed solar array or by any additional mitigation in terms of planting, as this would still result in harm to the significance of the setting of designated heritage assets associated with this former Royal Hunting Park.

Wessex Water - comments

- Our records indicate there is an existing 300mm public foul sewer crossing the site. Whilst it appears space is left around public sewer for access, applicant must accurately locate and plot public sewer on site, as our records are guidance only. Wessex Water will usually require a 3-metre easement on both sides of the public

sewer and unrestricted access for repair and maintenance activities. Access and easements of this public sewer must be agreed with our Development Engineers.

Officer Comment: *The applicant has advised Wessex Water (WW) that their easement has been mapped using utilities mapping and they have applied a 3m easement either side. As part of a detailed design process, the area would also be scanned prior to construction to verify exact location - and would then finalise any cable and track crossing required to follow required prevalent working methodologies. The applicant has also advised WW that they can ensure access through a shared padlock code or similar arrangement. WW has agreed to the above, which could be secured by planning condition.*

Dorset Council Environmental Health Officer - no objection

- Subject to pre-commencement condition requiring submission of a noise report

Dorset Council Flood Risk Management Team - no objection

Dorset Council Highway Authority - no objection, subject to conditions.

Dorset Council Natural Environment Team - no objection

- While consideration of suitability of site for a solar farm is outside of the scope of the biodiversity discipline, proposal will impact on the project aims for Gillingham Royal Forest area, and does not appear to be compatible with Saved Policy GRF1
- Currently falls short of biodiversity and green infrastructure aims of this area and requires further detail
- Do not consider that a full CEMP needs to be provided in advance of determination. However, a full understanding of the impacts on biodiversity during the construction phase and how these impacts can be mitigated for within the scheme design or working method must be known.
- A LEMP should be prepared including all recommendations from the May 2021 Ecological Assessment, and designed to contribute towards the aims of the Gillingham Royal Forest project area and Policy GRF1
- LEMP should also include a plan for the removal of the development at the end of its operational phase and its return to agricultural land. Can be agreed in detail after determination, but must include a commitment that ensures the necessary ecological information is agreed with DC NET and gathered to inform the decommissioning phase - highly likely biodiversity of site will have changed and therefore new considerations may be required to complete this phase without causing harm to biodiversity.

Re-consultation comments

- After reviewing revised LEMP and BNG documents, they do not cause any issues for biodiversity and provided conditions referencing new version documents are secured, the LPA can be assured they have met their duty to biodiversity. Dorset Biodiversity Appraisal Protocol Certificate of Approval has therefore been issued.

Dorset Council Senior Archaeologist – no objection

- Results of an archaeological trial trenching are needed before an informed planning decision can be made

Re-consultation comments

- Submitted archaeological evaluation of the site and the report on this work have been undertaken to an appropriate archaeological standard
- Considering the results, the impact on below-ground archaeology is no longer a matter for concern and would not require mitigation if consent were granted

Dorset Council Senior Conservation Officer – objection

- Will result in the following impacts on the significance of identified heritage assets:

Designated Heritage Assets

Kings Court Palace Moated Site (Scheduled Monument)

Gillingham Park Boundary Bank (Scheduled Monument)

Remains of East Haines House and Adjacent Deer Park Pale (Scheduled Monument).

- Unifying element between these monuments is existence of an undeveloped landscape between them which, though likely changed since the medieval period, retains this fundamental characteristic
- Submitted Environmental Statement identifies a number of developments which will give rise to cumulative effects on affected heritage assets. Most notably, land to west of site is allocated for development in Policy 21 as part of the Gillingham southern extension. A resolution to grant consent for an outline scheme was passed in May 2020 (2/2018/0077/OUT)
- This consented development will already result in harm to Scheduled Monuments through detrimental impacts on their setting and any additional, cumulative impacts arising from current proposals are to be considered, along with that arising from pre-existing development within the boundaries of the park
- Acknowledged that solar PV array is not the same as buildings, but would still transform baseline historic setting from open rural farmland of historic fields to industrial scale solar farm - results in disconnection of the inherently related sites and introduces a fundamentally incongruous development form into the setting
- Extent of development will therefore result in harm to identified aspects of setting which contribute to the significance of these assets, through extensive setting change that extends and compounds existing negative setting change
- Will result in less than substantial harm to the significance of these assets, which are acknowledged as being 'of the highest significance' in terms of national statutory protection. Though not 'substantial', the nature and extent of this harm is judged to be considerable, given the essential contribution of the open landscape to the significance of these Scheduled Monuments.

Park Farmhouse (Grade II Listed)

Waterloo Farmhouse (Grade II Listed)

Manor Farmhouse (Grade II Listed)

- Whilst in all three cases, the proposals will result in change to the wider agricultural setting, distance between them and site means their immediate setting should remain unchanged to the extent that any contribution arising from this element remain legible and appreciable
- For these reasons, proposal will result in no harm to these assets' significance.

Non-Designated Heritage Assets

Gillingham Forest Deer Park / Sections of Park Pale

- Proposal will result in just under 40 hectares of additional development – not buildings, but nonetheless incongruous with the existing deer park landscape – within its boundary. This, together with existing detrimental changes, compounds the attrition of the character of these assets, particularly so as their current open aspect can be appreciated from key points
- Proposed 20m buffers between the array and sections of park pale does not adequately address detrimental impacts on either the character of the park as a heritage asset, nor the setting of unscheduled sections of park pale
- Therefore clear that proposal will result in harm to these assets' significance and, taking the above considerations, consider this harm to be less than substantial

Donedge Lodge Farm

- Site thought to be that of the principal forest-keeper's lodge and a building is recorded here from at least the 15th century. Current building appears to have 17th century origins, though much altered. The vista the natural prominence permits over the deer park is unlikely to be coincidental and can be appreciated in LVIA Viewpoint 2 (Fig. 6.11). The value of this view in understanding and appreciating both the general agricultural setting, and any intended vista over the deer park, will be considerably altered by the introduction of the solar array
- For the above reasons, proposals will result in less than substantial harm to the significance of this asset.

Re-consultation comments

- No change to previous assessment of less than substantial harm to the significance of (non-designated) Donedge Lodge Farm.

Designated Heritage Assets

- Response to applicant's heritage letter as follows:

East Haines House

- Acknowledge that Environmental Statement did not identify setting effects to this Scheduled Monument. However, for the reasons given in previous response, harm to this monument was identified and no additional evidence has been provided to suggest a revision of this assessment.

'Evolved landscape'

- Certainly true that site has seen changes in boundaries and agricultural regime since the medieval period and even since the disparking. However, should not be assumed that park was not subdivided from the outset. Compartmentation of medieval parks is well evidenced and could include separate open grassland for permanent deer access, coppiced woodland and areas of wood-pasture for pannage. Documentary evidence for arable cultivation in medieval hey-day of parks (e.g. Pulham Park, Norfolk, 1251; the Earl of Cornwall's Cornish parks, 1288). Therefore, agricultural features identified in archaeological evaluation,

together with their various alignments and potential old field boundaries, could be evidence of original medieval land use within park - not necessarily later features.

Neighbouring Site Allocation

- Agree that neighbouring site allocation and consented development already has a considerable impact upon deer park. However, it is precisely the cumulative harm arising from this development and the proposed development which are an additional and significant cause for concern in terms of setting impacts. Historic England's good-practice advice on setting specifically mentions cumulative change and the need for consideration 'whether additional change will further detract from...the significance of the asset' (p. 4). The same point is also made in the Planning Practice Guidance (para. 013 Ref ID 18a-013-20190723).

Conclusion

- In general, nothing is provided to discourage the previous assessment that:
 1. these monuments form inextricably spatially and functionally linked components which define the perimeter and function of a royal medieval deer park whose footprint remains largely undeveloped and legible in association with their settings; and
 2. proposed development must be seen as resulting in cumulative harm to these settings, by further loss and change in character from undeveloped farmland to 'industrial scale solar farm', taking into account the harm already arising from the neighbouring consented development
- Taking the above into account, proposal will still result in less than substantial harm to the significance of these assets, which are 'of the highest significance' in terms of national statutory protection.

Non-Designated Heritage Assets

Gillingham Forest Deer Park / Sections of Park Pale

- Above comments relating to impacts on Scheduled Monuments remain relevant to these non-designated heritage assets. Acknowledged, as it was previously, that these elements are non-designated, but the clear connections between them and the Scheduled Monuments which define their perimeter clearly go towards their significance and any balanced judgement to be had regarding impacts. Therefore remain of the view that the development will result in less than substantial harm to these assets.

Suggested reasons for refusal

- The proposals will result in less than substantial harm to designated heritage assets of the highest national significance (Scheduled Monuments) which is not clearly and convincingly justified through overriding public benefits. In addition, the proposals result in less than substantial harm to the significance of non-designated heritage assets, which on a balanced judgement is not considered acceptable owing to their fundamental connection with the Scheduled Monuments. For these reasons, the requirements of NPPF, paras. 202 and 203 and Policy 5 of the adopted North Dorset Local Plan are therefore not met.

Dorset Council Senior Landscape Architect – objection

Middle/long distant views

- Middle distant views of site are likely to be framed, filtered or screened due to relatively flat topography and intervening woodland and field boundary hedgerows
- Distant views from points along footpaths in elevated positions on chalk escarpment on western edge of the AONB are also possible, though again are likely to be framed, filtered or screened to some extent by intervening vegetation
- While site is within setting of the AONB, submitted photomontages demonstrate that its location would likely avoid or minimise adverse impacts as required by paragraph 176 of the NPPF
- Development's impact on landscape character and views would likely diminish significantly with increasing distance from the site and that at distances above 1km from the site, even when visible, the solar panels and associated infrastructure are significantly less visually intrusive than other elements within the view such as large buildings and skyline features
- Because of their relatively low height (3m max), uniform nature, dark colour and refractive qualities, large solar farms on relatively low-lying flat sites have an appearance at distance not dissimilar to large bodies of water
- Sensitivity to solar energy developments within Blackmore Vale Landscape Character Area is likely to increase with the size of development; so while sensitivity of character area would likely be low to moderate for development of 1ha or less, would likely be highly sensitive to 30ha or more as proposed

Localised views

- Significant change in landscape character and nature of the view for users of bridleway N69/6 and footpath N69/7 in close proximity to site, which would not be mitigated to any significant extent by the proposed mitigatory planting around site boundaries - even 15 years after completion
- Do not agree this would be moderated to any significant degree by the proposed planting - indeed the EIA acknowledges that "*views, although softened by proposed planting, cannot be fully screened and therefore, although reduced, remain of planning significance*" (para 6.11.16 page 6-78)
- Given its historic past as part of a deer park, its inclusion within the Gillingham Royal Forest Project Area and the requirements of retained Policy GRF1, a case might be made for the site being part of a 'valued landscape' as per paragraph 174 a) of the NPPF. While it is hard to see how the proposal would protect or enhance this valued landscape it would also be hard to argue, given the geographic extent of the project area, that it would preclude additional woodland planting or promotion of low-key countryside recreation to any significant degree
- Not convinced that the adverse landscape and visual impacts have been "*addressed satisfactorily*", but might be argued that the significant landscape and visual impact on users of the adjacent footpath and bridleway "*are (or can be made) acceptable*" as required by paragraph 158 of the NPPF
- Consider that additional woodland block planting through land acquisition or by agreement with the landowner could provide further mitigation for users of adjacent footpaths, and that the adverse impacts arising from the scheme have not therefore been satisfactorily addressed by the mitigation currently proposed

Re-consultation comments

- Amended application includes revised LVIA

- Further proposed planting after establishment and 15 years of growth may now substantially mitigate visual impact on users of footpath N69/6, though the physical and visual perception of the landscape is a dynamic three dimensional experience that changes with time, rather than the static two dimensional experience of viewing a photomontage
- However, with the same proviso, even after establishment and 15 years of growth the proposed additional planting would not mitigate the visual impact of the proposed solar farm on users of footpath N69/7
- Still not currently persuaded that all adverse impacts arising from the scheme have been satisfactorily addressed, or that the proposal has maximised the potential to mitigate the adverse impacts identified specifically the adverse impacts on the users of the adjacent bridleway and footpath
- Agree with conclusions of chapter 6 of Environmental Statement Addendum *“that the Proposed Development would, at Year 1, in a localised area have a significant adverse effect of Major-Moderate adverse (significant)”* (Para. 6.11.7) but that *“In respect of the landscape character area of the Clay Vale as a whole the effect would be of Slight adverse and non significant.”* (Para. 6.11.8)
- Agree that *“In the long term, the effects on the localised area of landscape character would be softened by the proposed mitigation planting”*, from N69/7 not persuaded that the significant adverse effect of the proposed development on landscape character in the long term *“would be reduced to minor moderate adverse (not significant)”* as a consequence of the mitigatory planting proposed (paragraph 6.11.10)
- Agree that users of footpaths to north of site (N69/6 and N69/7) *“would experience a Major-Moderate effect at year 1, which is considered significant”* (paragraph 6.11.16), challenge assertion that *“at year 15, these receptors would be larger [sic] screened from the solar panels and experience a potentially Minor-Moderate effect as the proposed planting will filter views of the site”* (paragraph 6.11.17)
- As such, do not consider that proposed development’s adverse impacts would be satisfactorily addressed as required by Policy 3 and Policy 22 of the Local Plan
- Continue to consider that additional woodland block planting through land acquisition/agreement with landowner could provide further mitigation for users of adjacent footpaths
- If minded to approve, would still wish to see conditions regarding submission, approval, implementation and maintenance of a soft landscape scheme.

Dorset Council Senior Ranger - no objection

- Throughout duration of development, full width of public footpath and bridleway must remain open and available to public - no materials/vehicles stored on route.

Dorset Council Trees Team - no objection

- If minded to approve, recommended pre-commencement condition requiring agreement of an arboricultural method statement.

Motcombe Parish Council - objection

- Whilst we fully recognise the need for developing green energy sources to replace fossil fuels for power generation, the siting of these facilities needs to be appropriate, especially in rural areas. The fields at Fern Brook are not appropriate for a large-scale solar farm

- Impacts visually from surrounding vantage points, including a nearby footpath leading downhill to meet the bridleway from Coppleridge
- In addition, the popular Motcombe-Gillingham bridleway, also part of the White Hart Link circular route, passes round the sites perimeter on two sides creating a significant impact to those enjoying the local countryside
- Growth of some years required before screening is really effective
- Site sits within boundary of Gillingham Royal Forest. Dorset Wildlife Trust have secured considerable funding to increase awareness of this historic area and improve access to it. Motcombe Neighbourhood Plan supports this initiative, as Motcombe parish lies within the old boundary of the forest area. Solar farm is incompatible with this project's aims, and it lies near to the two key historic vestiges of the ancient Kingscourt Palace listed site, and the Park Pale
- Concerned about impact of 2-3 months of delays on heavily used B3081 whilst cabling work takes place to link site to Shaftesbury sub-station at Hawkers Hill. Not only will this cause delays and congestion on this busy, dangerous road, will lead to rat-running through the parish using Motcombe's inadequate rural road network. In addition, Dorset Council spent considerable monies on resurfacing much of the B3081 in this area in recent years, which is also subject to surface water flooding. Therefore also concerned about condition of this surface
- Whilst only two dwellings near the site, their concerns about excess noise need to be addressed. Also impact on bridleway users, including any possible effect on horses. Therefore support recommendation of Environmental Health
- Whilst the Neighbourhood Plan did not address possible future impact of green energy schemes (demonstrating the urgency of the climate change in the past 2 years), residents raised concerns about future threat to rural nature of parish lying between the neighbouring towns of Gillingham and Shaftesbury - in particular the plans for expansion of Gillingham's southern edge which could lead to Motcombe losing its separate identity and become joined to Gillingham. We see this solar farm proposal as 'urban' infill which could encourage other developments in adjacent fields, leading to Motcombe losing its separate rural parish ambience
- Question whether whole of the site is Grade 4 agricultural land, as it would appear that some parts may be Grade 3a. Appears to contradict the Soils and Agricultural Quality assessment conducted by the applicant. If this is the case, we feel this application is unacceptable as these parcels of higher grade agricultural land would no longer be available for cultivation

Re-consultation comments

- Having carefully studied the additional information, the core objections stated previously in our response have not changed. Therefore restate our opposition

Gillingham Town Council - objection

- Contrary to Saved Policy GRF1 (Gillingham Royal Forest Project Area). Will result in a lost opportunity to plant trees and improve woodland areas
- Situated within the Gillingham Royal Forest Protection Area and the Blackmore Vale Landscape Character Area, which are both sensitive landscape areas. The site is also close to a designated Sites of Nature Conservation Interest (SNCI). Will have a significant detrimental visual impact on these areas, particularly when viewed from Shaftesbury and Motcombe
- Likely to result in detrimental visual impacts to heritage assets, including Kings Court Palace and Gillingham Park Boundary Scheduled Monument

- To connect to national grid, necessary to install a cable for distance of 2-3 miles
- Considers that the harm is not outweighed by the benefits

Re-consultation comments

- Recommend refusal of the amended planning application
- Town Council's original objections have not been overcome by the amendments
- Would still result in harm to the settings of the designated heritage assets associated with the former Royal Hunting Park

Shaftesbury Town Council – no objection

- Initially objected due to: no archaeological assessment; impact on AONB views and views from Castle Hill; Impact on White Hart Link walking route

Re-consultation comments

- Support the amended application as the screening changes the perception and the proposal supports the roll out of low carbon electricity

Representations received

Total – Objections	Total - No Objections	Total - Comments
74	14	1

Petitions Objecting	Petitions Supporting
0	0

In total 74 objections have been received, including from Dorset Ramblers and the White Hart Link project. The comments are summarised below:

- Mitigation measures proposed are inadequate to ameliorate damaging impact of development on users of the public rights of way, and will in places effectively enclose what is now a route with open views to the south
- Unacceptable intrusion into the visual amenity of legitimate users of the countryside, including those using a promoted route - the White Hart Link
- Mirror like visual appearance will impact adversely on enjoyment of the land;
- Proposal will create an eyesore from Castle Hill;
- There needs to be more concrete evidence regarding the amount of energy that the proposal is claiming. There does not appear to be sufficient factual data supplied to make an informed decision;
- Offshore wind makes more sense than solar energy;
- Opposed to large scale solar farms across beautiful historic and bio-diverse landscapes;
- Will upset the setting of the deer park which is a registered scheduled monument;
- The converters emit high-pitched noise emissions, which are harmful to humans and reptiles in the vicinity;

- Does not comply with advice from Dorset Wildlife trust to restore, recreate and reconnect a historic landscape. The land is viable agricultural land;
- Concerns about the impact on local rare breeds of wildlife and plants known to inhabit this area;
- Residents didn't have the chance to debate it when the Neighbourhood Plan was recently consulted and voted upon. It flies in the face of the King John Royal Project and it harms the vital green belt between Gillingham and Motcombe;
- Local flora, fauna and winter/summer watercourses and dew ponds, protected species of bat and amphibians' habitats and food sources will be lost;
- The vast scale of the proposed development is inappropriate in this rural location;
- The solar panels would have a negative impact on the water dispersal in this area not least because of the less permeable nature of the hard tracks constructed and the hard 'lines' of intense run off from the solar panels. This proposal will almost certainly change the efficacy of how this flood plain functions;
- The proposals would impact on the spectacular unspoiled farmland views
- Nuclear power seems like a much better option;
- Would present a serious degradation of this precious area of countryside close to Cranborne Chase Area of Outstanding Natural Beauty (AONB);
- The proposals conflict with policies in the Motcombe Neighbourhood Plan;
- The environmental costs of this project in the proposed locations far outweigh the environmental benefits;
- The land is partly grade 3 agricultural and should be retained as such;
- Proposals would negatively impact on tourism in the area;
- The council commissioned a report in 2014 by Land use Consultants to assess the landscape sensitivity to wind and solar development within North Dorset. The application site is identified as falling within an area of high sensitivity. The application will have a detrimental impact on important views from vantage points in Shaftesbury and Duncliffe Hill and may also have an adverse impact upon views from the Cranborne Chase AONB;
- It will cause irreparable damage to the scenery and the natural habitat of animals/insects and wildlife in the locality.

14 letters of support have been received and comments are summarised as follows:

- There is absolutely no reason to not build solar farms. Without renewable energy the earth will die at a quicker rate. We are living in a climate emergency;
- Any renewable energy plans are surely the way forward.
- Support the application as believe it will be a worthwhile project to increase green energy production without harming the environment;
- It is vitally important to switch away from fossil fuels and support farmers who want to provide us with renewable energy;
- The installation will provide much needed renewable energy for the area at a time when the IPCC report makes clear our situation is desperate. It makes a good use of poor grade soil.
- It would be an excellent thing if Gillingham were to establish its name as a leader in the field of renewable energy, by approving the application for a solar farm at Fernbrook. It could be the catalyst for taking on board further renewable energy initiatives in the town and its surrounding area;
- We need more green energy in order to meet our carbon reduction target;

- The climate emergency overrides other concerns;
- It is important to retain a green belt on the parish boundary to protect the nature & identity of Motcombe. There is a potential risk to the western edge of the parish becoming suburban to Gillingham.

8.0 Relevant Policies

Development Plan

North Dorset Local Plan Part 1 (2016)

Policy 1 – Presumption in favour of sustainable development
 Policy 3 – Climate change
 Policy 4 – The natural environment
 Policy 5 – The Historic Environment
 Policy 6 – Housing distribution
 Policy 7 – Delivering Homes
 Policy 8 – Affordable Housing
 Policy 13 – Grey Infrastructure
 Policy 15 – Green Infrastructure
 Policy 17 - Gillingham
 Policy 20 – The Countryside
 Policy 21 – Gillingham Strategic Site Allocation
 Policy 22 – Renewable and Low Carbon Energy
 Policy 23 – Parking
 Policy 24 – Design
 Policy 25 – Amenity

North Dorset District Wide Local Plan (2003)

Saved Policies:

GH2 - Royal Forest Project
 GRF1 - Gillingham Royal Forest Project Area
 1.7 - Development within Settlement Boundaries
 1.20 - Contaminated Land

Motcombe Neighbourhood Plan (2019)

MOT5. Woodlands
 MOT6. Protecting and Enhancing Local Biodiversity
 MOT7. Local Views

Gillingham Neighbourhood Plan (2018) [Covers the Gillingham Urban Extension, Park Farm buildings and the proposed access from the B3081]:

Policy 6. Forestry and tourism / recreation projects;
 Policy 12. Pedestrian and cycle links;
 Policy 13. Road designs in new development.

Material considerations

National Planning Policy Framework

Section 2 - Achieving sustainable development
Section 4 – Decision-making
Section 6 - Building a strong, competitive economy
Section 11 – Making effective use of land
Section 12 - Achieving well designed places
Section 14 - Meeting the challenge of climate change, flooding and coastal change
Section 15 - Conserving and enhancing the natural environment
Section 16 - Conserving and enhancing the natural environment

Other material considerations

National Character Area Profile: 133 Blackmore Vale and Vale of Wardour
North Dorset Landscape Character Assessment (as amended) (2008)
Dorset Landscape Character Assessment (2009)
Landscape Sensitivity Assessment: 'Landscape and Sensitivity to Wind and Solar Energy Developments in North Dorset District' (Land Use Consultants April 2014)
North Dorset Strategic Landscape and Heritage Study (October 2019)

Relevant UK legislation and strategies include:

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

Planning Practice Guidance (DCLG web-based resource)

Environmental Impact Assessment (EIA)

An EIA Screening Opinion application (Ref: P/ESC/2021/00740) was submitted to the LPA prior to the submission of this planning application, to assess whether an Environmental Impact Assessment would be required for any of the considerations in respect of the nature, size and location. The LPA determined that that there would be additional significant impacts on the local landscape and environment and, thus, the proposal would amount to EIA development. It was determined that the proposals represent EIA development and require the preparation of an environmental statement. This has been submitted with the application.

9.0 Human rights

Article 6 - Right to a fair trial.

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

The first protocol of Article 1 Protection of property.

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

10.0 Public Sector Equalities Duty

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

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

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

11.0 Climate Implications

NPPF paragraph 158 sets out that when determining planning applications for renewable and low carbon development, local planning authorities should not require applicants to demonstrate the overall need for renewable energy and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions. It also sets out that applications should be approved if the impacts are (or can be made) acceptable.

The proposed development involves installation of ground mounted photovoltaic (PV) solar arrays. The installed capacity of approximately 45MW will power 14,950 households, save approximately 10,110 tonnes of carbon equivalent and approximately 4,667 cars off the road each year. The battery storage system would charge at times of low demand and export power onto the electricity grid at times of high demand, or when solar irradiation is low. The solar arrays would be in place for 40 years. This is not uncommon, with a number of applications recently approved to enable solar farms operate for this duration, including: Canada Farm Solar Farm (2/2019/1389/VARIA) and Stalbridge Park Solar Farm (2/2019/0676/VARIA). The period of 40 years coincides with the end of the life expectancy of the arrays whilst they generate electricity at an economical scale.

The applicant’s cover letter dated 27th October 2021 states that the need for solar farm energy has significantly strengthened. The Government recently published the Net Zero Strategy in advance of the COP26 Summit. This commits to take action so that by 2035, all our electricity will come from low carbon sources, subject to security of supply, moving to a fully decarbonised power system whilst meeting a 40-60% increase in demand. This strategy also explicitly seeks to accelerate deployment of

low-cost renewable generation, including solar. It also notes that our exposure to volatile gas prices shows the importance of a strong home-grown renewable power sector, to strengthen our energy security into the future.

Dorset Council accepts this need to provide energy from renewable sources within its administrative area. It declared a climate emergency in May 2019 and in November 2019, this was updated to a Climate and Ecological Emergency. Dorset Council works continuously to encourage sustainable means of energy generation and where appropriate, has resolved to grant planning permission for a number of solar farm schemes, including within the setting of heritage assets and AONB – the most recent example (December 2021) being application 6/2020/0595 at East Knighton, Dorchester (40MW ground mounted PV solar development).

The most recent figures published by the Department for Business, Energy & Industrial Strategy (Renewable electricity by local authority, 2014 to 2020) show that the majority of renewable energy produced in Dorset Council is via solar PV installations and has increased substantially from 2014, particularly considering the challenging extent of Dorset's landscape and cultural heritage designations.

12.0 Planning Assessment

The main issues, including those identified by Policy 22 of the Local Plan, are:

- Principle of development;
- Impact on agricultural land;
- Heritage impact;
- Visual and landscape impact;
- Residential amenity;
- Habitats and biodiversity;
- Highways and transport impact;
- Water environment (flood risk) impacts;
- Impacts identified by local communities, and;
- Planning balance.

Principal of Development

Policy 3 of the North Dorset Local Plan states that development proposals should seek to reduce greenhouse gas emissions, including appropriately sited renewable energy developments. Renewable energy schemes are also identified as an appropriate type of development in the countryside under Policy 20.

Policy 22 of the Local Plan is the specific policy relating to renewable energy proposals and includes assessment of landscape impact, in accordance with the Council's Landscape Sensitivity Assessment: 'Landscape and Sensitivity to Wind and Solar Energy Developments in North Dorset District' (Land Use Consultants April 2014). Policy 22 states that when considering such proposals, the social, economic and environmental benefits of the scheme should be assessed against the

likely impacts. A proposal for generating electricity from renewable (excluding wind energy development) will be permitted provided it can be demonstrated that:

- a) both individually and cumulatively, all adverse impacts arising from the proposal have been satisfactorily assessed; and
- b) the proposal has maximised the potential to mitigate any adverse impacts that have been identified; and
- c) the actual benefits that the scheme will deliver outweigh the adverse impacts that remain.

Policy 22 also states that potential adverse environmental impacts (together with measures to mitigate such impacts) to be assessed in relation to any proposal include: visual impact; and impacts on biodiversity, the landscape, the historic environment including designated and non-designated heritage assets, the water environment and agricultural land. In addition, in assessing the adequacy of mitigation measures in relation to a proposal it will be expected that:

- d) the proposal's location has been identified having regard to sites that make best use of existing transport infrastructure and the minimisation of traffic movements whilst providing safe access; and
- e) any issues of, noise and vibration or interference to radar or any communication systems including televisions can be fully overcome; and
- f) early meaningful consultation has been undertaken with people in the locality that might be adversely affected by the proposal and clear regard has been had to the responses received; and
- g) the proposal incorporates an agreed restoration scheme including measures to remove installations when operations cease.

The application site is also subject to Saved Policy GRF1, which states that within the Gillingham Royal Forest Project Area it is proposed to:

- (i) enhance the landscape and aid the diversification of agriculture through the provision of additional woodland planting
- (ii) provide and co-ordinate additional countryside recreational facilities
- (iii) provide interpretative/tourism/educational material and facilities. Development will be approved in the area if the above objectives are met and the proposal is in keeping with the character of the area.

It is considered that harm to the landscape and heritage assets would arise, as identified in the consultee responses. Objections have also been raised in respect of the proposed solar farm being contrary to the aims of the Gillingham Royal Forest Project Area. Although the proposed solar farm includes new planting and would revert to agriculture after its 40 year operation, the nature and characteristics of this development type would not meet all the above requirements of Saved Policy GRF1. Alongside the harm identified, there are clear benefits arising from the proposal – to be considered in the planning balance.

The proposal is in accordance with Policy 20. To determine whether the proposed development is acceptable in principle pursuant to Policy 22 and Saved Policy GRP1, all relevant material planning considerations need to be assessed as set out below.

Impact on agricultural land

The proposed development is located on land that is classed as grade 3 (good to moderate quality) and grade 4 (poor quality) agricultural land, according to latest Natural England mapping records. The applicant has undertaken a soils and agricultural quality survey, based on observations at intersects of a 100 m grid, with a sampling density of 1 observation per hectare. Soils were examined by a combination of pits and augerings to a maximum depth of 1.1 m. The survey states that the combination of high topsoil clay content and poor drainage under the wet local climate means the land has severe wetness limitations. The land is mainly suited to grass, where moderate to high yields can be expected, with occasional arable crops of variable yields.

The survey therefore concludes that the whole site is Grade 4 (poor quality) agricultural land, as it comprises heavy slowly permeable soils that is limited by wetness. It is considered that it has been adequately demonstrated that the proposed development would avoid the best and most versatile agricultural land as required by planning policy. The applicant also advises that the land can be grazed once the development is in operation, to give a dual benefit of being agriculturally productive whilst generating renewable energy.

Heritage impact

The King's Court Palace Moated Site, a Scheduled Monument (SM), lies to the west of the site, with another SM (Remains of East Haines House and the adjacent section of the deer park pale) lying further to the northwest. Gillingham Park Boundary Bank, another SM, lies to its east. These features are remnants of a Medieval Royal Hunting Lodge and Deer Park from the twelfth century. Gillingham Forest Royal Deer Park is indeed recorded as a non-designated heritage asset (monument) on the Dorset County Historic Environment Record. The application site lies in a central location within this former royal forest area, with the Remains of East Haines House and park pale enclosing the northwest corner of the former royal forest. The Gillingham Park Boundary Bank forms the eastern and southern boundary of the former royal forest, with King's Court Palace Moated Site slightly within the western boundary.

The following designated heritage assets have therefore been identified as being potentially affected by the proposed development:

Kings Court Palace Moated Site (Scheduled Monument)

Gillingham Park Boundary Bank (Scheduled Monument)

Remains of East Haines House and Adjacent Deer Park Pale (Scheduled Monument).

Park Farmhouse (Listed Building - Grade II)

Waterloo Farmhouse (Listed Building - Grade II)

Manor Farmhouse (Listed Building - Grade II)

Scheduled Monuments

Historic England and the Council's Senior Conservation Officer have identified "less than substantial harm" to surrounding Heritage Assets, with heritage harm also identified by the Ancient Monuments Society. As set out in the Senior Conservation Officer comments, an identified unifying element between the Scheduled Monuments is the existence of an undeveloped landscape between them which, though likely changed since the medieval period, retains this fundamental characteristic.

It is therefore considered that the extent of the proposed development will result in harm to identified aspects of setting which contribute to the significance of these Scheduled Monuments, through extensive setting change which extends and compounds existing negative setting change. The proposal will result in less than substantial harm to the significance of these heritage assets, which are acknowledged as being 'of the highest significance' in terms of national statutory protection. Though not 'substantial', the nature and extent of this harm is judged to be considerable, given the essential contribution of the open landscape to the significance of these Scheduled Monuments.

Listed Buildings

In respect of the 3 no. grade II listed properties, in all three cases the proposals will result in change to the wider agricultural setting. However, the distance between them and the site means that their immediate setting would remain unchanged to the extent that any contribution arising from this element remain legible and appreciable. As such, the proposal will result in no harm to these assets' significance.

The following non-designated heritage assets are identified as being impacted:

Gillingham Forest Deer Park
Sections of Park Pale
Donedge Lodge Farm

In terms of Gillingham Forest Deer Park and Park Pale, the proposal will result in approx. 33 hectares of additional development within its boundary, introducing a fundamentally incongruous development form into the existing deer park setting. This impact is compounded by the current open aspect which can be appreciated from key points. Whilst it is acknowledged that a solar PV array is not the same as buildings, it would still transform the baseline historic setting from an open rural farmland of historic fields to an industrial scale solar farm, resulting in a disconnection of these inherently related sites. It is therefore clear that the proposal will result in harm to these assets' significance.

The elevated Donedge Lodge Farm site to the northeast is thought to be that of the principal forest-keeper's lodge and a building is recorded here from at least the 15th century. The vista the natural prominence permits over the deer park is unlikely to be coincidental and the value of this view, in understanding and appreciating both the general agricultural setting, and any intended vista over the deer park, will be considerably altered by the proposed solar array. The proposal will therefore also result in harm to this asset's significance.

Conclusion of heritage impact

Para 199 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

The proposed solar farm would result in less than substantial harm to the setting of the abovementioned Scheduled Monuments – which are designated heritage assets. Para 202 states that where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

It is estimated that the solar panels would generate approximately 45 MW peak, enough to power approximately 14,950 homes. This is the most significant public benefit and is afforded significant weight, given the climate emergency context as outlined in Section 11 above.

A financial contribution of £50,000, to be secured by s106 Agreement, is offered by the applicant to support work within the wider Gillingham Royal Forest Project Area. This is a further public benefit as it will contribute towards the objectives of Saved Policy GRF1, by enhancing its landscape through further additional woodland planting and the promotion of countryside recreation and tourism activities.

Great weight must be given to the conservation of heritage assets and the more important the asset, the greater the weight should be. Para 200 of the NPPF states that Scheduled Monuments are 'assets of the highest significance' in terms of national statutory protection. Though not 'substantial', the nature and extent of the identified harm to Scheduled Monuments is judged to be considerable, given the essential contribution of the open landscape to the significance of these Scheduled Monuments.

This additional tree-planting, along with the current proposed planting within the site, would offer further visual screening. However, this relates only to the visual experience element of setting, not the historical relationship experienced between the undeveloped application site and its setting with the surrounding heritage assets.

In light of all the above, it is considered that these combined public benefits would not outweigh the identified heritage harm arising from the proposed solar farm. The proposed development is therefore contrary to Policy 5 (The Historic Environment) of the Local Plan and Chapter 16 (Conserving and enhancing the historic environment) of the NPPF.

Harm to the above listed non-designated heritage assets has also been identified. In such circumstances, Para 203 of the NPPF requires a balanced judgement taking into account the significance of the affected asset and the scale of harm or loss. This is addressed in the Planning Balance section at the end of this report.

Visual and Landscape Impact

The site lies within the Clay Vale Landscape Character Type and the Blackmore Vale Landscape Character Area. Except for Donedge Farm and Footpath N69/7 to its northeast, which rise to a significantly higher level, ground levels in the immediate vicinity vary only slightly. Areas of ancient woodland also lie adjacent the application site to the north (Kings Court Wood) and south (Palemead Coppice), with another wooded area adjacent its southwest boundary. The historic setting of the is as described in the above report section.

Paragraph 174a of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, in a manner commensurate with their statutory status or identified quality in the development plan. This indicates that land within statutory landscape designations should be regarded as of the greatest value, but the value of non-designated landscapes still needs to be considered. Case law (*Stroud DC v SSCLG*) (2014) identified that there was no agreed definition of valued landscape and that in the absence of any formal guidance, a 'valued' status would require the site to show some demonstrable physical attribute rather than just popularity.

The Landscape Institute Technical Guidance Note 02/21 (Assessing landscape value outside national designations – May 2021) forms the most up-to-date published guidance to landscape professionals and others who need to make judgments about the value of a landscape (outside national landscape designations), in the context of the UK Town and Country Planning system. This also includes analysis of relevant case law including that quoted above. It provides the following series of criteria assessing these demonstrable attributes of landscape value:

1. Natural Heritage – defined as “Landscape with clear evidence of ecological, geological, geomorphological or physiographic interest which contribute positively to the landscape”

One given example of an indicator of landscape value considered relevant to the proposal site is:

- Landscape which makes an identified contribution to a nature recovery/ green infrastructure network

The site lies adjacent to a Site of Nature Conservation Interest (SNCI): King's Court Wood, an area of oak/ash woodland. The site is also within 100 m of another SNCI: Palemead Coppice, an area of oak woodland. Both are remnant fragments of Ancient Semi-Natural Woodland listed on the Ancient Woodland Inventory.

The site is also within Gillingham Forest Royal Deer Park, recorded as a non-designated heritage asset (monument) on the Dorset County Historic Environment Record. In recognition of its contribution to the green infrastructure network, Saved Policy GRF1 states that it is proposed to enhance this landscape and aid the diversification of agriculture through the provision of additional woodland planting, and provide and co-ordinate additional countryside recreational facilities.

2. Cultural Heritage – defined as: “Landscape with clear evidence of archaeological, historical or cultural interest which contribute positively to the landscape”

Indicators of landscape value considered relevant:

- Presence of historic landmark structures or designed landscape elements (including monuments)
- Presence of historic parks
- Landscape which contributes to the significance of heritage assets, for example forming the setting of heritage assets (especially if identified in specialist studies)
- Landscape which offers a dimension of time depth - includes cultural time depth e.g., presence of relic farmsteads, ruins, historic field patterns, historic rights of way

The King's Court Palace Moated Site, a Scheduled Monument (SM - No.1017276), lies to the west of the site, with another SM (Remains of East Haines House and the adjacent section of the deer park pale – No. 1465898) lying further to the northwest. Gillingham Park Boundary Bank, another SM (No. 1002382), lies to its east. These features are remnants of a Medieval royal hunting lodge and deer park used for some 400 years (the earliest record being in 1228).

3. Landscape condition – “Landscape which is in a good physical state both with regard to individual elements and overall landscape structure”

Indicators of landscape value considered relevant:

- *Good physical condition/intactness of individual landscape elements (including trees)*
- *Absence of detracting/incongruous features (or features are present but have little influence)*

Outline permission has recently been granted (2/2018/0077/OUT) for the development of up to 634 dwellings, a primary school, and associated facilities, within land bordering the southwest boundary of the proposal site. The Council's Senior Conservation Officer considers that the consented development of this allocated site will result in heritage harm to the Scheduled Monuments, through detrimental impacts on their setting (in terms of how the assets are experienced as being interlinked with the undeveloped former royal forest). However, from a pure landscape perspective (visual impact only), there is a noticeable land ridge along the Park Farm buildings to the south. In combination with the mature tree lines to the southwest, much of the elevated views towards the town's southern expansion are screened – including that recently approved nearest the proposal site.

4. Associations – “Landscape which is connected with notable people, events and the arts”

- The surrounding landscape has historic royal associations with its former use as a medieval deer park.

5. Distinctiveness – “Landscape that has a strong sense of identity”

Relevant indicator of landscape value:

- Landscape which makes an important contribution to the character or identity of a Settlement

The Motcombe Neighbourhood Plan (2019), covering the proposed solar array area, identifies Gillingham Royal Forest as one of the special characteristics of the village. This is reflected in Policy MOT5 (Woodlands), which states that proposals to provide additional woodland planting in the Gillingham Royal Forest area, and proposals to

enhance public access to woodland areas or promote the understanding of their cultural heritage, should be supported. Policy MOT7 (Local Views) also states that the design and layout of development should minimise adverse impacts on views from public rights of way over open countryside, and preserve and enhance such views where possible. There are also obvious links to the origins of Gillingham, resulting in the settlement rising to prominence in medieval times.

6. Recreational – “Landscape offering recreational opportunities where experience of landscape is important”

Relevant indicator of landscape value:

- Presence of open access land, common land and public rights of way (particularly National Trails, long distance trails, Coastal Paths and Core Paths) where appreciation of landscape is a feature

A Bridleway (N69/6) runs along the western and northern boundaries of the site. A footpath (N69/7) runs in a northeast on rising topography to the east of King’s Court Wood, from a point midway along the northern boundary of the site. Close views of the site are possible from the bridleway and from the footpath, which link Gillingham and Motcombe and also incorporate the White Hart Link - a 50-mile circular walking route taking in the five market towns of North Dorset and the villages in between.

7. Perceptual (Scenic) – “Landscape that appeals to the senses, primarily the visual sense

Indicators of landscape value considered relevant:

- Distinctive features, or distinctive combinations of features, such as dramatic or striking landform or harmonious combinations of land cover
- Presence of natural lines in the landscape (e.g. natural ridgelines, woodland edges, river corridors, coastal edges)

The site lies at approximately 80m AOD and except for Donedge Farm and Footpath N69/7 to its northeast (95-100m AOD), ground levels in the immediate vicinity vary only slightly. To the east of the site, the verdant escarpment on the western edge of the Cranborne Chase and West Wiltshire Down AONB rises to 249m AOD at Little Hill. The nearest proximity from the site to this AONB is approx. 3.1km to the east. However, the AONB is clearly visible from the application site due to its elevation. To the south, the wooded slopes of Duncliffe Hill form another distinctive feature. Ancient Woodland is also visible at more immediate proximity.

8. Perceptual (Wildness and Tranquillity) – “Landscape with a strong perceptual value notably wildness, tranquillity and/or dark skies

Relevant indicator of landscape value:

- High levels of tranquillity or perceptions of tranquillity, including perceived links to nature, dark skies, presence of wildlife/ birdsong and relative peace and quiet

Despite the proximity to Gillingham, including its southern expansion, the site and its setting remains rural and verdant in character, as the surrounding topographical and landscape features screen much of this settlement. Tranquillity can be perceived and experienced, due to the significant distance from the nearest public vehicular highway, proximity to many mature trees (including ancient woodland) and elevated views of the AONB slopes beyond.

9. Functional – “Landscape which performs a clearly identifiable and valuable function, particularly in the healthy functioning of the landscape”

Relevant indicator of landscape value:

- Areas that form an important part of a multifunctional Green Infrastructure network

As outlined in criterion (2) above, the immediate landscape setting of the application site makes a valuable contribution to the green infrastructure network as a rural and historic recreational footpath route between Gillingham and Motcombe.

Conclusion - valued landscape assessment

Guidance Note 02/21 advises that once evidence for each factor has been collated and assessed, it is important to step back and judge the overall ‘weight of evidence’ in coming to an overall judgement on landscape value. Overall, it is considered that the application site and its setting forms a valued landscape, due to its recreational, scenic, tranquil and natural/cultural heritage attributes as outlined above – all of which are realised as a well-used green infrastructure network between Gillingham and Motcombe. The site is therefore considered to form part of a valued landscape in the context of Para 174a of the NPPF.

Conclusion – visual and landscape impact

It is considered that the proposed additional planting, after establishment and 15 years of growth, would substantially mitigate the visual impact of the proposed solar farm on users of footpath N69/6, when approaching the site from the west. However, it is considered that the proposed additional planting would not mitigate the visual impact of the proposed solar farm from the elevated position of footpath N69/7 to the north.

The perceptual aspects of character, such as rural tranquillity, typically reflect the degree of value attributed to the landscape. This will be affected by the introduction of the industrial appearance and form of the solar farm and the large expanse of perimeter fencing (including CCTV cameras) along the length of the perimeter fencing. The proposed mitigation planting will still not reduce the resulting impact on landscape character to an acceptable level, as the contribution of the planting to the overall condition of the landscape remains limited given the scale of impact of the development. This landscape also plays an important role in the setting of heritage assets, as set out in the previous heritage section of this report. The development is described as being temporary and reversible, but will cause an unreasonable degree of harm to a valued landscape throughout its 40-year operational life.

As such, it is not considered that the proposed development’s adverse landscape and character impacts would be satisfactorily addressed, as required by Policy 4 and Policy 22 of the North Dorset Local Plan 2016, Saved Policy GRF1 of the North Dorset Local Plan 2003, and policies MOT5 and MOT7 of the Motcombe Neighbourhood Plan.

Residential amenity

Policy 22 of the Local Plan states that the likely impact of noise and vibration on local residents and those working in the vicinity of a renewable or low carbon energy generation plant needs to be considered as part of the application process.

The surrounding area includes residential properties, farm buildings and roads. Therefore, some noise and vibration effects in the immediate area surrounding the site may arise. Sensitive receptors that may be affected include residential properties to the east and northeast at Donedge Lodge Farm and Park Farm, approximately 240m north-east and 300m south, respectively, and along the cable connection route. Owing to the separation distances to these nearest neighbouring properties, there would be no adverse impacts in terms of overbearingness or loss of outlook.

Noise and dust nuisances may arise during the construction phase of the development. These impacts would however 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.

The Council's Environmental Health Officer has raised no objection, subject to a pre-commencement condition requiring submission of a noise report. The report should contain details of background sound measurements of when the plant is likely to be in operation, assessed against the operational plant sound level. This report should surmise the likely external noise impact on sensitive receptors in the area and provide mitigation to prevent loss of amenity and prevent creeping background noise levels.

Habitats and Biodiversity

Policy 22 of the Local Plan states that proposals should minimise disturbance to ecology, including designated sites and the impact on particular species.

The submitted Biodiversity Net Gain assessment (BNG) includes specific recommendations regarding how grassland marginal habitats should be managed. Grazing of the pasture is intended to be in accordance with industry best practice guidance for solar farms. A Landscape and Ecological Management Plan (LEMP). An LEMP was then provided up-front, to clarify all proposed mitigation and enhancement measures.

The Council's Natural Environment Team (NET) initially commented that the proposal should provide a better ecological link between the SNCI's to the north and south. The NET also requested further clarity between the LEMP and landscape site plans, and advised that field margins should be further enhanced for biodiversity. The LEMP has therefore been further amended accordingly, and now also refers to a conservation payment of £14,967 towards the Great Crested Newt licensing scheme. The LEMP is now supported by the NET and could be conditioned to ensure any potential adverse impacts upon local wildlife and habitats can be satisfactorily mitigated if permission is granted. A signed Conservation Payment Certificate has also been issued by the NET accordingly.

The NET also commented that the post-operational landscape should retain the biodiversity gains to ensure that measurable biodiversity net gain is delivered in the

long-term. At the end of the proposed development's lifespan (40 years), the solar panels and other infrastructure would be removed and the site restored. The small quantity of foundations, hard surfacing and heavy infrastructure means that the land would be easier to restore than other more intrusive development, e.g. large buildings. The BNG assessment now outlines that the post-operational landscape would comprise Enhanced Improved Pasture Grassland (in place of the solar panels), with the surrounding ecological features also retained. This could also be secured by means of planning condition.

Highways and transport impact

The submitted Transport Statement advises that during the operational phase of the development, there would be a minimal increase in traffic volumes with operational traffic (one van) expected to access the site on two occasions per month at the most. The construction phase of the proposed development would lead to a temporary increase in traffic on the road network surrounding the site for a 16-18 week period. On average during this period, it is expected that the proposed development would lead to an increase in traffic movements of at most 35 two-way vehicle movements per day. There are no residual traffic impacts identified.

The Council Highway Authority (CHA) requested additional information in respect of manoeuvring, parking and loading areas and the existing access onto the B3081 – showing variable widths, junction radii, gate position etc to prove this existing access can cater for the largest vehicles likely to visit site during the construction period.

Following submission of this additional information, the CHA has now commented that this addresses the issues previously raised. It also confirms the points that will be considered by the Construction Traffic Management Plan (CTMP), stating that it will include a requirement for contractors to manage HGV deliveries to avoid the weekday traffic peak hours (08:00 to 09:00 and 17:00 to 18:00), along with the weekday afternoon school peak (15:30 to 16:00) during term times. During the projected 16 to 18-week construction period, it is anticipated that daily traffic movements will be in the region of 3 to 5 HGV deliveries and 30 cars vans.

The CHA has also commented that the existing B3081 access has good visibility in both directions, with sight lines that fully accord with the guidance provided by Manual for Streets (MfS) for roads subject to a 40mph speed limit. Once the solar farm is operational a van would visit the site twice a month for maintenance purposes. A temporary construction compound is to be provided at the entrance of the construction site, providing a turning area for articulated lorries as well as an area of hardstanding and staff parking. The internal access road leading to this compound is to be widened to facilitate two-way articulated lorry movements.

In conclusion, the CHA considers that the residual cumulative impact of the proposal cannot be thought to be "severe", when consideration is given to paragraphs 110 and 111 of the NPPF. The CHA therefore now raises no objection, subject to planning conditions to secure the manoeuvring, parking and loading areas and widening of the internal access road, along with a Construction Traffic Management Plan to be submitted prior to commencement of development.

Water environment (flood risk) impacts

The majority of the site lies within Flood Zone 1 - defined as land with the lowest risk of flooding (less than 1 in 1000 annual probability of river or sea flooding). Small areas of the site near part of the western and southern boundaries fall within Flood Zones 2 and 3 - associated with the Fern Brook river. The risk of the flooding from surface water on-site ranges from 'very low' to 'high'. In relation to Flood Risk Vulnerability and Flood Zone 'Compatibility', the planning practice guidance to the NPPF advises that all uses of land are appropriate in Flood Zone 1.

A site-specific Flood Risk Assessment and Drainage Strategy has been provided. This advises that rainfall falling onto the photovoltaic panels will runoff directly to the ground beneath the panels and infiltrate into the ground at the same rate as it does in the existing site. Existing drainage features will be retained and the site will remain vegetated through construction and operation of the development to prevent soil erosion. The extent of impermeable cover as a result of the development amounts to only 0.38 % of the total site area.

The sustainable drainage strategy involves implementation of SuDS, in the form of swales at the low points of the site to intercept extreme flows which may already run offsite. This would lead to an overall reduction in surface water flow rates from the site and mitigate any increase in run-off due to the minor reduction in its overall permeable area.

The Council's Flood Risk Management Team (FRMT) have raised no objection, commenting that surface water mapping indicates narrow surface water flow paths crossing the site, which follow the route of a couple of ordinary watercourses. However, the proposed layout appears to take a sequential approach to avoid this flood risk, along with the fluvial flood risk from the main river. The lower edge of the panels are raised off the ground by approximately 0.9m, so any surface water that did cross the site under the solar panels would remain uninterrupted by the proposal.

Impacts identified by local communities

Policy 22 of the Local Plan states that developers will be expected to undertake and evidence early meaningful engagement with the local community when submitting development proposals relating to renewable or low carbon energy schemes that may have an adverse impact on a local community. Consultation with local communities may raise new issues or provide a better understanding of issues already identified. The Council will expect developers to have regard to responses made by local communities to any consultation and to consider what additional mitigation measures may be necessary to address any legitimate concerns.

The applicant has provided a Statement of Community Involvement, which outlines the engagement with the local community prior to submission. The exercise would usually have included face to face meetings and a public exhibition, but was not possible as a result of COVID-19. The online Common Place platform was utilised to fill the gap left by the inability to carry out a public exhibition, as it allowed consultees to review a significant amount of information about the proposed development, make comments on specific aspects, complete a feedback form and ask questions. In

addition, a freephone telephone line was set up and manned by the applicant, to allow interested parties to call, ask questions and leave comments. The local community consultation also included advertising the proposed development through mailouts, emails, newspaper notices, and a social media campaign.

The comments received back from the public were a mix of positive and negative. It is satisfied that the applicants have considered the feedback appropriately and provided the necessary information to enable an assessment of the concerns raised.

Planning balance

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

Solar farm developments of the scale proposed will almost always have a visual or other material impact of some sort, whether immediate from nearby footpaths or wider afield within the landscape. It has been concluded that the site and its surrounding undeveloped setting forms a valued landscape. The identified scenic, tranquil and natural/cultural heritage attributes also clearly contribute to the setting of the Gillingham Forest Deer Park.

Non-designated heritage assets are not statutorily protected and, ordinarily, harm to their significance would require much less justification and/or overriding benefits. However, in this case, the non-designated assets are fundamental to appreciating and understanding the significance of other designated heritage assets (as already set out above), and therefore have considerable significance in themselves and for their group value - to the point that they are considered as part of a whole with these designated assets. Although this former deer park is a non-designated heritage asset (monument), there are clear connections between it and the Scheduled Monuments which surround its perimeter, and which elevate its significance.

Taking a balanced view, based on these clearly established connections and these assets' contribution to maintaining a well-preserved park landscape defined and demarcated by Scheduled Monuments, the harm to these non-designated assets is considered unacceptable having regard to NPPF Para 203.

The above identified harm as a whole must be balanced against the necessity for renewable energy development and as already set out, significant weight is attached to this environmental benefit. It is also accepted that subject to compliance with the Landscape & Ecological Management Plan, the proposal would secure measurable net gains for biodiversity as required by Para 179b) of the NPPF. Moderate weight is attached to the environmental benefits arising from this biodiversity net gain.

A financial contribution of £50,000, to be secured by s106 Agreement, is offered by the applicant to support work within the wider Gillingham Royal Forest Project Area. This will contribute towards the objectives of Saved Policy GRF1, through further

additional woodland planting and the promotion of countryside recreation and tourism activities. As such, this contribution is considered to meet the CIL Regulation 122 tests in terms of being necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. This is viewed as both a social and environmental benefit and whilst this benefit is welcomed, it would not overcome the identified heritage harm arising from the proposed solar farm - nor would it directly mitigate the identified harmful landscape views of the proposal site itself – in particular from the elevated vantage along Footpath N69/7.

Additionally, although Dorset Wildlife Trust (DWT) have confirmed that this contribution could cover a three-year period from 2022-2024 and be administered by Dorset Council, both DWT and the Council's Natural Environment Team have objected to the principle of the solar farm location within Gillingham Forest. Whilst the financial contribution would meet the Saved Policy GRF1 objectives in terms of additional woodland planting, the remaining heritage and landscape harm arising from the proposed solar farm would be contrary to its objectives - as it would not enhance the landscape or be in keeping with the character of the area. The above factors therefore limit the weight that can be attached to this benefit.

The above accepted benefits are overall not considered sufficient to weigh against the overall identified harm to the valued landscape, which includes the setting of heritage assets, especially given that great weight must be given to the conservation of the affected Scheduled Monuments as designated heritage assets of the highest national significance, and that the identified harm would also be contrary to the objectives of the Gillingham Royal Forest Project Area considered as a whole.

Therefore, the identified heritage, landscape and character harms are such that the proposal would not accord with the Local Plan taken as a whole. Therefore, the material considerations do not indicate that planning permission should be granted.

13.0 Conclusion

The development would offer significant environmental benefits over the lifetime of the solar farm for the purposes of sustainable development, as it would provide a maximum export capacity of 45MW which equates to the generation of clean renewable energy for approximately 14,950 homes a year. Biodiversity net gain can also be secured. However, the location and large expanse of the site means that the harmful impacts on the significance of designated and non-designated heritage assets, their setting within a valued rural landscape, and on associated public enjoyment of these heritage and landscape features as part of the Gillingham Royal Forest Project Area, are sufficiently adverse and significant to outweigh the public benefits of the proposal. Therefore, the material considerations do not indicate that planning permission should be granted.

14.0 Recommendation

REFUSE planning permission for the following reason:

1. The following identified harms are, in combination, considered to form adverse impacts that would significantly and demonstrably outweigh the benefits arising from the proposal:

a) The proposed development, by reason of its appearance, scale and positioning within the setting of surrounding Heritage Assets [see below] (which includes the surrounding landscape), would lead to unacceptably adverse harm to the significance of these Heritage Assets and their setting. This harm is considered "less than substantial" having regard to the National Planning Policy Framework (NPPF), but is not outweighed by the identified public benefits arising from the proposal. The proposal is therefore contrary to Policies 5 and 22 of the adopted North Dorset Local Plan Part 1 (January 2016), retained policy GRF1 of the North Dorset District-Wide Local Plan 2003, and Chapter 16 of the NPPF.

b) The proposed development, by reason of its appearance, scale and location within a valued landscape (including views from rising topography along Public Footpath N69/7), would lead to unacceptably adverse harm to the character of this landscape (including its recreational, scenic, tranquil and natural/cultural heritage attributes), contrary Policies 4, 5 and 22 of the adopted North Dorset Local Plan Part 1 (January 2016), retained policy GRF1 of the North Dorset District-Wide Local Plan 2003, policies MOT5 and MOT7 of the Motcombe Neighbourhood Plan 2019 and paragraph 174a) of the NPPF.

The surrounding Heritage Assets referred to in a) above are:

Designated Heritage Assets

- i) Kings Court Palace Moated Site (Scheduled Monument 1017276)
- ii) Gillingham Park Boundary Bank (Scheduled Monument 1002382)
- iii) Remains of East Haines House and Adjacent Deer Park Pale (Scheduled Monument 1465898)

Non-designated Heritage Assets

- iv) Gillingham Forest Deer Park (Monument MDO27854)
- v) Sections of Park Pale (Monument MD03873)
- vi) Donedge Lodge Farm (Locally Listed Building)