

# Strategic and Technical Planning Committee

## 21 November 2022

### Decision List Galton Manor Farm

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

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

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

**Recommendation A:**

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

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

And

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

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

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

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

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

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

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

Location plan - J00699-B-001 Rev 01

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

Site clearances plan - SP-SCD5-PL Rev R02

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Reason: To protect biodiversity during the construction phase.

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

Reason: In the interests of road safety.

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

Reason: To safeguard existing trees from the impacts of development

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

Reason: To safeguard existing trees from the impacts of development

13. Prior to the commencement of development a detailed Surface Water Management Scheme for the site, based upon the hydrological and hydrogeological context of the development, providing clarification of how drainage is to be managed during construction and including a timetable for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The surface water scheme shall be implemented in accordance with the agreed details and timetable.

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

14. Prior to the commencement of development details of maintenance and management of both the Surface Water Management Scheme and any receiving system shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented on commencement of the Surface Water Management Scheme and thereafter managed and maintained in accordance with the approved details. These shall include a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

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

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

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

16. Prior to the commencement of any development hereby approved, full details of hard landscape proposals shall be submitted to and approved in writing by the Local Planning Authority. These details shall include where appropriate: proposed finished levels or contours and hard surfacing materials relating to maintenance and access routes. Thereafter, the development shall be proceeded in strict accordance with such details as have been agreed.

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

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

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

Reason: In the interests of visual amenity

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

Reason: In the interest of visual amenity, ecology

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

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

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

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

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

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

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

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

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

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

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

And

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

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