

<b>Application Number:</b>	P/FUL/2022/05708
<b>Webpage:</b>	<a href="https://planning.dorsetcouncil.gov.uk/">https://planning.dorsetcouncil.gov.uk/</a>
<b>Site address:</b>	Land West Of Atrim Road Dottery Dorset DT6 5HS
<b>Proposal:</b>	Installation of ground mounted photovoltaic (PV) units on galvanised steel table frameworks arranged into 12 arrays, with inverter in GRP enclosure, fencing, cameras, revised access, landscape and biodiversity mitigation
<b>Applicant name:</b>	Dorset Community Energy and Local Energy Bridport
<b>Case Officer:</b>	Bob Burden
<b>Ward Member(s):</b>	Cllr Bolwell; Cllr Clayton; Cllr Williams

**1.0** This application has been brought to committee at the request of the Service Manager for Development Management and Enforcement.

**2.0 Summary of recommendation:**

Grant with conditions.

**3.0 Reason for the recommendation:**

- Para 11 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise.
- The location is considered to be sustainable and the proposal is acceptable in its design and general visual impact.
- There is not considered to be any significant harm to neighbouring residential amenity.
- There are no material considerations which would warrant refusal of this application.

**4.0 Key planning issues**

<b>Issue</b>	<b>Conclusion</b>
Principle of development	Policy is supportive in principle but is subject to other relevant material considerations including impact on the Area of Outstanding Natural Beauty (AONB).
Effect on Area of Outstanding Natural Beauty and visual amenity	The effects are mainly local rather than wider on the AONB; it is considered that subject to landscaping the effect on the AONB is acceptable.

Impact on Agricultural land	The land in question is potentially grade 1 quality. However, the area “lost” is modest-some of which could be re-used for agricultural purposes when the arrays are removed.
Effect on residential amenity	A construction traffic management plan and control over lighting and CCTV cameras by condition is appropriate. These would help ensure significant adverse amenity impacts are avoided.
Impact on heritage assets	The effect on settings of listed buildings would result in less than substantial harm -which is outweighed by the renewable energy generation opportunity
Biodiversity	An acceptable biodiversity mitigation plan has been submitted and approved.
Highways	There is an acceptable vehicular access to the site and scope for on-site parking. The Highways Officer has no objection.
EIA	Not EIA development

## 5.0 Description of Site

The 0.9 ha site is located to the west of the B3162 at Dottery crossroads adjacent to Atrim Road. It comprises the most northern part of an elevated area of a wider arable field. The site slopes gently downwards to the north. It is currently an agricultural field in arable use. There is an existing vehicular access to the site at its south-eastern corner via a metal field gate. A public footpath W3/15 runs alongside the southern edge of the site before turning in a south-westwards direction downslope to the River Simene valley.

To the south of the site is a scrubby hedge with hawthorn trees and a Wessex Water covered reservoir beyond with an associated small building. To the east is a scrubby hedge (more evident to the northern section) and the Atrim Road - a relatively narrow (about 3.25m wide) tarmacked lane with informal passing spaces. Moving northwards the site is initially about 1.75m above lane level rising to 2.2m and the lane then drops to a lower level (about 6m below the site level). There is little lane-side hedgerow adjacent to the site -this being discontinuous with some bramble on the southern part. There is an existing hedgerow /trees near to the north of the site, and open land -the rest of the field -to the west.

## 6.0 Description of Development

The scheme proposes a solar park on an area of 0.12ha. The operational area would be about 140m x between 25-45m wide. It would comprise 388 photovoltaic (PV) units fixed onto 20 galvanised steel frameworks arranged as 12 arrays, supported on driven galvanised steel piles. The panels would be 2.52m high, inclined at 22 degrees and would be suspended 0.6m above ground level. There would be an inverter in a GRP enclosure, peripheral fencing (2.5m high) together

with security cameras. Solar photovoltaic panels having an approximate installed generating capacity of 252 KWP of electricity, enough electricity to meet the energy needs of approximately 84 homes.

## **7.0 Relevant Planning History**

P/PAP/2021/00011 -Pre-application submission. Date: 23/04/2021

Installation of a ground mounted solar photovoltaic array - written advice

## **8.0 List of Constraints**

Neighbourhood Plan -Name: Bridport Area NP; Status 'Made' 05/05/2020

Right of Way: Footpath W3/15

Special Area of Conservation (SAC) (5km buffer): Chesil & The Fleet

Setting of listed buildings (statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990)

Area of Outstanding Natural Beauty: (statutory protection in order to conserve and enhance the natural beauty of their landscapes - National Parks and Access to the Countryside Act of 1949 & Countryside and Rights of Way Act, 2000)

Historic Contaminated Land - Description: Quarrying of sand & clay, operation of sand & gravel pits

## **9.0 Consultations**

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

### **NATS (National Air Traffic Control) Safeguarding-**

No objection

### **Natural England-**

No objection. Advise consultation with AONB Partnership.

### **Highways Officer-**

The Highway Authority considers that the proposal does not present a material harm to the transport network or to highway safety and consequently has NO OBJECTION.

The applicant should liaise with Dorset Highways prior to commencing any works on site to ensure all licences and permissions under the Highways Act, this may include temporary safety measures at the sites access during construction. With this in mind the following informative should be included if permission is granted:

The applicant should contact Dorset Highways by telephone at 01305 221020, by email at [dorsethighways@dorsetcouncil.gov.uk](mailto:dorsethighways@dorsetcouncil.gov.uk), or in writing at Dorset Highways, Dorset Council, County Hall, Dorchester, DT1 1XJ, before the commencement of

any works on or adjacent to the public highway, to ensure that the appropriate licence(s) and or permission(s) are obtained under the Highways Act, including agreement on temporary safety measures at the sites access during construction.

#### **Environmental Health Officer-**

Should planning permission be granted for this development, it is recommended that a condition be applied, requiring that noise from any plant on site (e.g. transformers, inverters etc.) be characterised using a suitable acoustic standard, e.g. BS 4142:2014+A1:2019, and any necessary mitigation measures identified and incorporated into the development.

#### **Natural Environment Team-**

The application is within the scope of the Dorset Biodiversity Appraisal Protocol (DBAP) criteria which includes all development sites of 0.1 ha or where there are known protected species or important habitats/habitat features. The Natural Environment Team (NET) notes the submission of a Biodiversity Plan on the planning portal, however this has not been submitted to NET to review and as such has not yet been approved. NET would be happy to review the Biodiversity Plan (BP) should it be submitted to the team directly with the appropriate fee, to ensure compliance with wildlife legislation, NPPF (2021, as amended) and that biodiversity enhancements/ net gain are secured.

#### **Tree Officer-**

The proposed solar farm site is currently land under intensive agriculture management. Boundary hedges are of mature native species that are cyclically maintained by tractor mounted flail, no significant hedgerow trees within the hedges, no significant field trees within site. Hybrid poplar (*Populus x canadensis*) within northern boundary.

Tree constraints relate to the hedges and poplars, tree protection information required to ensure these trees and hedges are protected during construction. Landscaping Proposal GE-L-01 indicates significant new hedge and woodland planting, this is considered an improvement to the current tree and hedge cover at the site.

No arboricultural information has been supplied to support this planning application. The property is not within a Conservation Area, there are no Tree Preservation Orders present at this property.

#### **RECOMMENDATIONS**

Further Arboricultural information required as part of the planning process. Applicant required to submit further information in the form of an Arboricultural Impact Assessment, Tree Constraints Plan, Tree Protection Plan and Arboricultural Method Statement, to support the proposed development. To be submitted as part of the current planning application.

## **Flood-risk Management Team-**

The proposal under consideration relates to development of less than 1ha, and therefore does not qualify as major development. Notwithstanding this, I have provided the following discretionary comments:

Desktop investigation indicates that the flood risk to the site is very low (this is confirmed by the design and access statement).

Regardless of prevailing risk, any development has the potential to exacerbate or create flood risk, if runoff is not appropriately considered and managed as evidenced by a substantiated SW strategy. Ordinarily therefore, and in keeping with the requirements of the National Planning Policy Framework (NPPF), all major development proposals must take due consideration of SW water management and should offer a drainage strategy that does not create or exacerbate off site worsening and should mitigate flood risk to the site.

Industry standard solar panel installation positions the panels above ground and the area below the panel is normally grassed and allowed to be grazed by sheep. The potential increase in impermeable surface due to solar panels is generally considered negligible. There are no ancillary buildings proposed. There is a very modest access road proposed. The design and access statement includes a brief section on flood risk and drainage (Section 8). With regards to the proposed access road, the design and access statement states that the access road will be of a permeable material (section 8.6). Considering the location of the proposal, the potential for an increase in flood risk off site to affect third party property due to the development is negligible.

Additional landscaping is proposed around the borders of the site which may reduce runoff from the area in its current state (grassed).

Due to the above, I do not object to the proposal. No further information is required. There are no recommended conditions of consent.

## **AONB Landscape Officer-**

### Overview

The application proposes 12 arrays, within a site area of approx 1 ha, estimated to export 252.2 kWp. Built development primarily encompasses ground mounted solar panels. Auxiliary development to enable the operation of the site is also required, such as an inverter, pole mounted transformer, access, fencing, CCTV, etc. The proposal is for an operational phase of 40-years.

The proposal constitutes a relatively small-scale community energy PV array within Dorset AONB. The project foreseeably results in some relatively localised adverse landscape and visual effects, due to the nature of the countryside location that has been selected. These impacts will need to be weighed against the benefits of the proposal in reaching a balanced decision.

### Purpose of the AONB and statutory matters

#### AONB Status

Dorset AONB was designated in 1959. The primary purpose of the AONB designation is to conserve and enhance natural beauty of the designated area.

Alongside National Park status, AONB designation is the highest level of landscape protection available within England and Wales and therefore affords considerable weight to the conservation and enhancement of the character and appearance of the area. The Countryside and Rights of Way Act (2000) confirmed the significance of AONBs and created improved arrangements for their management, including:

- Section 85 places a statutory duty on all ‘relevant authorities’ to have regard to the purpose of conserving and enhancing natural beauty when discharging any function affecting land in AONBs.

- Section 89 places a statutory duty on local planning authorities to act jointly to produce a Management Plan for each AONB in their administrative area.

National Planning Policy Framework (NPPF) makes the following reference to AONBs in paragraph 176: “Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.” Paragraph 177 continues: “When considering applications for development within National Parks, the Broads and Areas of Outstanding Natural Beauty, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;

b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and

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

Footnote 60 of paragraph 177 confirms that the local authority will determine if a development is ‘major’, based in its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the AONB has been designated or defined. In our opinion, the relatively small scale of the solar array that is proposed and the quite localised nature of significant landscape and impacts do not suggest that a major development test is required on this occasion.

AONB Special Qualities Dorset AONB has a suite of Special Qualities (SQs) that make it a unique and outstanding place, underpinning its designation as a nationally important landscape. These are the Special Qualities we need to conserve and enhance for the future and they should be considered in decisions affecting the AONB. The AONB Management Plan’s Statement of Significance identifies these SQs as:

Special Quality	Comprising
Contrast and diversity-a microcosm of England’s finest landscapes	A collection of fine landscapes Striking sequences of beautiful countryside that are unique to Britain Uninterrupted panoramic views to appreciate the complex pattern and textures of the surrounding landscapes

	Numerous individual landmarks Tranquillity and remoteness Dark night skies Undeveloped rural character
A living textbook and historical record of rural England	An exceptional undeveloped coastline A rich historic and built heritage

In our opinion, the proposed development is of quasi-industrial appearance. Whilst recognising the renewable energy credentials of the proposal, the aesthetic character of the proposal results in contrast and juxtaposition with the underlying 'natural' character of the site and its wider landscape setting. Overall, we consider that the development proposal in this location generates potential impacts upon the following special qualities (we will provide some further details of the predicted effects later in this response):

- 'Uninterrupted panoramic views to appreciate the complex pattern and textures of the surrounding landscapes'
- 'Tranquillity and remoteness'
- 'Undeveloped rural character'

#### AONB Management Plan 2019-24 Objectives and Policies

Dorset AONB's Management Plan contains objectives and policies, which support the conservation and enhancement of the designated area and its setting. The Management Plan itself is a material consideration. The following Management Plan objectives and policies are considered particularly relevant to the decision being taken:

Objective	Policy
C1: the AONB and its setting is conserved and enhanced by good planning and development	C1a: Support development that conserves and enhances the AONB, ensuring sensitive siting and design respects local character. Development that does not conserve and enhance the AONB will only be supported if it is necessary and in the public interest. Major development decisions need to include detailed consideration of relevant exceptional circumstances.
C3: Necessary development is supported	C3.f: Support renewable energy production where compatible with the objectives of AONB designation.
C4: Development which has negative effects on the natural beauty of the AONB, its special qualities, ecosystem flows and natural processes is avoided	C4a: Remove existing and avoid creating new features which are detrimental to landscape character, tranquillity, and the AONB's special qualities. C4c: Protect and where possible enhance the quality of views into, within and out of the AONB. C4d: Protect the pattern of landscape features, including settlements, that underpin local identity.

In determining the application, we would also highlight the following policies of the Management Plan, which are of relevance to the balancing exercise:

- C2.d: The key test of a proposal against the statutory purpose of the AONB will be its ability to demonstrate that the proposed change would conserve and

enhance landscape and scenic beauty.

□ C2.e: The conservation and enhancement of the AONB's special qualities will be a significant consideration in the planning balance.

□ C2.f: Proposals that are harmful to the character and appearance of the area will not be permitted unless there are benefits that clearly outweigh the significant protection afforded to the conservation and enhancement of the AONB. Where impacts cannot be mitigated, planning gain and compensatory measures will be considered.

Management Plan Policy C3.f provides a degree of support to the project, due to its contribution to renewable energy production. However, the policy is caveated so as to provide support only where such development is 'compatible' with the designation. It is noted within the planning statement that there is assurance of continuing community ownership. The Management Plan does not make any specific reference to Community Renewable Energy projects. However, local communities are referred to within supplementary (non-statutory/secondary) purposes of the AONB designation, which were developed in the 1990s, which are as follows:

□ In pursuing the primary purpose, account should be taken of the needs of agriculture, forestry and other rural industries, and of the economic and social needs of the local community.

□ Particular regard should be paid to promoting sustainable forms of social and economic development that in themselves conserve and enhance the environment.

□ Recreation is not an objective of designation, but the demand for recreation should be met in an AONB so far as this is consistent with the conservation of natural beauty and the needs of agriculture, forestry and other uses.

### **Landscape and Visual Impacts-**

The applicant has engaged with the AONB prior to submitting this application. This has included consideration of some alternative sites, although not all of those which are referred to in the planning statement. It is noted that some of the alternatives that have been considered are much more closely associated with Bridport (e.g. Flaxhayes Playing Field), whose community will benefit from the energy generated. This issue is being highlighted as perhaps the greatest disadvantage of the proposal is its relative detachment from the community with which it is associated, utilising a somewhat isolated countryside location (notwithstanding the presence of nearby dwelling and the reservoir). The use of such a site for a development of this nature will almost inevitably result in some impacts on landscape and visual characteristics, particularly when publicly available views are possible, as is the case on this occasion.

Following a review of the application documents and visits to the site and surrounding area, it has been concluded that the likely significant impacts of the proposal primarily affect three areas:

□ Footpath W3/15, which passes immediately to the south of the site. A section of approximately 230m is affected, from the junction with Atrim Lane at the site entrance, to the boundary at the western extent of field within which the array is located, as represented by LVA photos 1 & 3

□ A section of Atrim Road that passes the site, as represented by LVA photos 2 & 4 (a photomontage is also provided)

□ A section of footpath W36/28, of approx 250m north of the site, between The Old Smithy and Ashleigh Farm, from where there are filtered views of the site, as

represented by LVA photo 15.

It is noted that the site is visible from more distant hills to the west, including Colmer's Hill, Quarry Hill and Jan's Hill. Due to the intervening distance and the relatively small scale of the site, it is not considered that the installation would result in significant effects from these wider locations, particularly once mitigation is established. The LVA provides a montage from Colmer's Hill and the appearance of the site from a similar direction (at a greater distance) can be examined within the following high resolution landscape monitoring image taken from Quarry Hill:

<http://gigapan.com/gigapans/184342>. It is also noted that the site is also partially visible from Allington Hill, to the south. However, owing to vegetation associated with the reservoir site, visibility is quite restricted, as can be appreciated within the following high resolution landscape monitoring image:

<http://gigapan.com/gigapans/180553>. A similar observation can be made with regard to views from elevated ground in the vicinity of Salway Ash (LVA image 14, which also has a photomontage), due to intervening vegetation restricting views. The application is accompanied by a landscape plan, which includes measures that seek to mitigate the visual impacts of the development in the longer-term. Planting comprises swathes of native scrub and coppice planting to the west and north of the panels and reinforcing the hedge along the east boundary adjacent to Atrim Road with planting. These proposals appear broadly appropriate. However, there are some issues that we would like to raise regarding the design of the proposal and the positioning of landscaping within the mitigation proposed:

- The plans show the fence line extending toward Atrim Road and connecting with a gate. The specific design of this is not sufficiently detailed and does not appear to be represented on the photomontage. Moreover, the landscape plan and block plans utilise differing fence lines. The alignment on the landscape plan appears somewhat more acceptable, in that it is drawn back from the road.

- The montage provided from Atrim Road appears to show that views into the site from the road will be screened in future. However, in order to achieve this a tangential section of hedgerow would presumably be necessary (as is apparently shown on the montage), but this is not a feature of the landscape plan.

- Overall, it appears that there are likely to be opportunities to further refine the fence line and gateway design as appreciated from the road, potentially pulling the fence line in the south-eastern corner still further back than is shown on the landscape plan (for example, by locating the hardstanding outside of the fence). It also appears that they may be an opportunity of shift the eastern fence line further to the west, away from the road, potentially reducing the visibility of this. Furthermore, if there is a need to replace the existing gateway from the road into the field with a new one, it may be possible to achieve an enhancement, for example, through the specification of a timber Dorset field gate.

- The hedge along the east boundary adjacent to Atrim Road is presently rather weak. It would be useful to confirm if the proposals intend to augment the existing hedge, or create an entirely new hedge to the immediate west. The photomontage from the road appears to suggest the latter. Furthermore, it would be advisable for this new feature to incorporate a number of hedgerow trees, which would have the potential to better mitigate views from the north in the future (e.g. LVA VPs 14 & 15).

- The positioning and design of CCTV is not fully detailed, although we note that the fencing details show that the height of the CCTV cameras as being not substantially

greater than the fence. It would be useful to confirm the heights and locations, particularly in consideration of views of these taller features from Atrim Road. Ideally, CCTV should be excluded from locations clearly visible from the road/gateway.

□ There is a discrepancy between the description of the height of the fence within the planning statement (2400mm) and the submitted elevation (1970mm). Furthermore, it has not been possible to identify the proposed finish of the fence and gates. Often these are finished in forest green, whereas it is considered that brown is a more recessive choice (e.g. Van Dyke Brown RAL 8014).

#### Conclusions-

Overall, in relation to the special qualities of the AONB, it is considered that the selection of a countryside site adjacent to a footpath and road will result in some significant but localised impacts that are unlikely to be fully mitigated through the measures proposed and the amendments that we have identified above. The proposed planted mitigation, if amended, has the potential to largely address adverse impact on the AONB's 'uninterrupted panoramic views' special quality in the long-term. Concerning the 'tranquillity and remoteness' special quality, personal reactions to the presence of the development in the proposed location area likely to vary. The site is adjacent to a reservoir and road, with residential dwellings also nearby. Given the relatively small-scale of the project and the relationship with existing features, we consider that the aforementioned special quality is unlikely to be significantly affected, although a notable localised change to perceptions of tranquillity is foreseeable. Overall, it is the AONB's 'undeveloped rural character' special quality that is probably subject to the greatest impact at a local level, with adverse effects of significance being foreseeable at year 1, reducing by some degree over time. In reaching a balanced decision, this impact will need to be weighed against the benefits of the proposal, as per AONB Management plan policy C1a: "Development that does not conserve and enhance the AONB will only be supported if it is necessary and in the public interest."

#### **Senior Landscape officer-**

Summary-

Unable to Support-

Thank you for consulting me on the above. I have previously provided Pre-Application advice (with ref. P/PAP/2021/00011) in 2021 and am familiar with the Site and its setting. I have a number of concerns relating to the proposed Development and its potential landscape and visual effects. The Site is located within a sensitive location (the AONB) within an agricultural landscape – the Site itself comprises Grade 1 Agricultural Land which has previously been used to grow cereal/fodder crops.

There are clear disparities between the supporting Application Plans – with reference the location of the proposed security Fencing and its relationship with PRoW W3/15 that runs along the southern boundary. The Fencing shown on the Block Plan would obstruct the route of the footpath. No details are provided around the treatment of the Site Access or Construction Compound.

The proposed landscaping would effectively enclose the Site from the east and west – but would introduce uncharacteristic species and vegetation pattern into an otherwise ‘open’ locally elevated parcel of land which, at present, offers opportunities for panoramic views over the wider countryside (including Colmers Hill and Jan’s Hill).

Close-range views of the Panels and the metal mesh fencing would be attained from footpath W3/15 – resulting in significant adverse localised visual effects. Views from the mid-long distance could be mitigated by the proposed planting.

The Proposal is likely to have a negative impact on a number of the AONB’s Special Qualities (ENV1) and I would defer to the observations provided by the AONB Landscape Planning Officer on these matters. The potential impacts arising from the proposed Development will need to be weighed against the benefits that could be delivered.

#### Site description/significance-

The Site lies within the Dorset AONB and comprises the northern, most elevated, area of a wider arable field. The Site is located in close proximity to the cross-roads junction at Dottery – where the access road to the Site (Atrim Road) runs north-westwards off the B3162 (running between Bridport and Broadwindsor).

Access to the Site is currently in the form of a single agricultural gateway. This also provides the route for footpath W3/15 which skirts around the southern boundary of the Site before running south-west down the slope towards the River Simene valley. The Site is delineated by the Atrim Road along its north-eastern boundary – where the Road is set down from the Field. There is sparse hedgerow/scrub along this boundary – and overhead lines/telegraph poles run along the edge of the road. The Site levels fall towards the north-western boundary – which is delineated with a hedge with occasional trees. The southern boundary is marked by a scrubby hedge – beyond which is located a reservoir and associated small building.

The Site is elevated in relation to the Atrim Road – and comprises a localised ‘plateau’ where far-reaching views over the wider landscape to the north, east and west are attainable from the footpath. Views to the south are obscured by hedging. When looking from the western edge of the Site – the viewshed covers numerous locally iconic landmarks such as Colmer’s Hill, Jan’s Hill (to the south-west and north-west) and Pilsdon Pen and Lewesdon Hill to the north-west.

To the north-west of the Site, ~180m away, is Colly Farmhouse (Grade II Listed).

With regards ‘landscape character’ and the AONB LCA – the Site falls within the Brit Valley Landscape Character Area and the Undulating River Valley Landscape Type. The key characteristics and special qualities of this Area include:

- *Meandering flat river floodplain with water meadows, damp neutral pastures and linear wet woodlands*
- *Undulating hills with shallow, branching clay valleys*
- *Patchwork of small, open fields on valley bottom with trimmed hedgerows, trees and occasional stone walls*
- *Small oak, ash and hazel woodlands on valley sides with large arable and pastoral fields with strip lynchets*
- *Occasional orchards and parkland landscapes*

- *Long open views along the valley floor*
- *Extensive reed beds and grazing marsh towards the coast*
- *Historic bridges and watermills of local stone along the valley floor*
- *Scattered clustered settlements along branching valleys bottoms of golden limestone and thatch, supporting the area's rich historic and built character*
- *Market towns with a strong industrial heritage*
- *Away from Bridport and Beaminster, the area has largely retained its strong undeveloped rural character, with associated characteristics of tranquillity, remoteness and dark night skies.*
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Visual character and perceptions: The area has an open character, particularly along the wide valley floor toward the coast and within the surrounding rolling hills. With a variety of land uses, the area has a complex visual character ranging from extensive urban influences to peaceful rural countryside.

The AONB LCA judges this landscape to have a moderate character. The undulating landform and flat valley floor have been altered by development in part, with a loss of important landscape features around larger settlements. Intrusive industrial, residential and tourist developments around the urban fringe often considerably weaken the surrounding rural character. Outside of the main settlements, the patterns of landscape elements are stronger, although intensive farming practices have eroded a number of historic landscape features.

Development often has a negative impact particularly around the urban fringe and in the more open and coastal areas. Poplar planting detracts from the surrounding landscape character. Overall landscape condition is judged to be moderate and declining.

Landscape Guidelines within the AONB LCA state the following:

*The overall management objective for the area should be to conserve the open and undeveloped character of the floodplains, wet woodlands and damp meadows with enhancement and restoration of hedgerows and hedgerow trees. Protection of the area from the influence of further intrusive development is a key objective.*

Planning Guidance, of relevance to this Proposal, for the area is as follows:

- Ensure new agricultural dwellings, barns and structures enhance the local character, are located to reduce their impact on open views and, where necessary, adopt design measures to reduce their perceived scale. Encourage the restoration of traditional barns and farm buildings and consider the replacement of lower quality structures when planning for expansion.
- Ensure farm diversification projects do not have a negative impact on local character.
- Conserve and enhance important open skylines.
- Ensure pylons, masts and other vertical elements are carefully sited and the number restricted to avoid visual clutter and further interruption of the characteristic open views. Encourage the under-grounding of small powerlines in open, sensitive locations.
- Minimise small scale incremental change such as signage, fencing or improvements to the road network which could change the rural peaceful

character of the landscape. Protect verges along winding lanes and conserve characteristic finger posts and furniture.

- Require limitations to and mitigation of noise and light pollution, recognising the impact these issues have on tranquillity and undeveloped rural character.

#### Main Issues-

- Would the proposed Development harm the character, special qualities (SQ's) or natural beauty of the AONB – such as uninterrupted views/sense of tranquillity and remoteness? ENV1

In response to this – the Proposed Development would form an uncharacteristic new 'element' within the landscape –affecting both close-range and mid-range views. With reference the AONB's suite of Special Qualities – the following are likely to be adversely affected:

- 'Uninterrupted panoramic views to appreciate the pattern and textures of the surrounding landscapes'
  - 'Tranquillity and remoteness'
  - 'Undeveloped rural character'.
- Would the Development be located and designed so that it does not detract from, and where reasonable, enhance the local landscape character? ENV1i)

The Development would be at complete odds with the local landscape character – introducing 12no. arrays of Panels/388no. Units and associated fencing/security cameras, and GRP Inverter and pole mounted transformer.

- Would the proposed Development significantly adversely affect the character or visual quality of the local landscape? Does the Development identify opportunities to secure visual enhancements? ENV1ii)

The proposed Development has the potential to generate '*significant* adverse local visual effects' – which would be exacerbated by the juxtaposition with adjacent rolling farmland and woodland. These 'effects' would be most perceptible from close range (PRoW W3/15) and mid to long range views from the north through to the south-west/west.

In terms of 'visual enhancements' – the Proposals comprise tree/shrub and hedge planting that, in my opinion, would be out of character within the wider context of open elevated farmland.

- Have appropriate measures been taken to moderate any adverse landscape and visual effects the Development may have? ENV1iii)

The Proposals are supported by a 'Landscape Strategy' – The proposed landscaping would assist in screening mid-long range views from the south-west but there would be significant adverse visual effects from PRoW W3/15 and from the elevated section of Atrim Road.

- Would the proposed Development contribute positively to the maintenance and enhancement of local identity and distinctiveness and has it been informed by the character of the Site and its surroundings? ENV10

This Application has been informed by a LVA – but I would advise that the landscape/visual sensitivities of the Site, and the predicted effects, have not been satisfactorily addressed in the Proposals.

- Have any adverse impacts on the local landscape, townscape or areas of historical interest been satisfactorily assimilated? COM11

The potential adverse visual impacts of this scheme have not been satisfactorily addressed.

#### Comments on Proposal-

With reference the supporting Plans for the Application – there are clear disparities between the Drawings including the following:

- The access details off Atrim Lane – given that the current access arrangements comprise a single agricultural gate and a rising gradient into the Site – inadequate information is provided on proposed access treatments? The Block Plan indicates a ‘surfacing’ material’ but no details are provided? This ‘surfaced area’ does not appear on the ‘Landscape Proposals’ drawing.
- No details are provided regarding the preliminary construction compound/materials storage area?
- Proposed Fencing around the Arrays – the location of the Fencing differs between the Drawings? On the Block Plan the proposed Fencing would appear to obstruct the route of the PRow that runs along the southern boundary of the Site? The location of the Fencing on the Landscape Proposals differs to the Block Plan?
- Height of the Security Fencing – the detailed Sections indicate a height of ‘2m’ and the Planning Statement refers to ‘2.4m’.
- Specification of Fencing – I note that the proposed fencing is to be a ‘high metal mesh’ system. This would appear very suburban within this rural setting – where comparable solar schemes would normally be protected by wire mesh/timber posts (deer fencing).

With reference the LVA that supports the Proposal – I would like to make the following observations:

- I am happy with the LVA Methodology used (GLVIA3)
- Site and Immediate Context Para 5.19 The LVA states that “*the Site and its immediate context comprises of a number of agricultural field parcels, which are currently used for occasional grazing*” – at the time of my visits (March 2021 and October 2022) the Site was either under cultivation or had been seeded. “*The fields are bounded by hedges and occasional trees on all sides*” – the western boundary comprises sparse vegetation/ bramble – rather than a ‘hedge’.
- Landscape Value – Whilst the LVA recognises the Site’s AONB designation I would advise that the ‘recreational value’ referred to in Para.5.27 is poorly described “*There is no public access to the Site, although PRow W3/15 runs*

*along the south-west across the larger field and passes the south boundary of the proposed site*". In reality – the proposed Access to the Site, off Atrim Road, is shared with the route of the PRow and is included within the 'red line' boundary.

- In Para.5.29 it is stated that the degree of tranquillity is influenced by the "*nearby busy Atrim Road and the B3162*" – I would advise that the vehicular use of the narrow Atrim Road is relatively light with vehicular noise being negligible.
- Within the 'Conclusion' and Para.5.31 the 'value' of the Site is judged to be 'High/Medium' overall value – with detractors being the adjacent roads/pylons and the reservoir. I would advise that the adjacent roads are only 'B' and 'C' class and the covered reservoir has a negligible effect on the Site. I would also advise that the land is Grade 1 (Excellent Quality Agricultural Land) and this is not mentioned within the LVA.
- Landscape susceptibility to Change Para. 6.1 – I would agree with the judgement of 'Medium' susceptibility to change.
- Landscape Effects – The LVA states that the proposed development will result in the 'temporary' change in use of part of one field (Para.6.4). I would advise that the proposed landscaping to the western boundary of the Site would serve to 'enclose' this elevated area of arable land – which would be uncharacteristic of the local landscape pattern – where the uplands are generally perceived to be open and gently flowing. I would also have to question the principle of establishing native 'coppice' and pockets of 'shrubs' on Grade 1 Agricultural Land. The proposed landscaping would result in a permanent 'effect' and I would disagree that the "*planting will fit with the existing vegetation pattern*" as stated within Para. 6.5.
- Summary of general visibility: Para.6.32 I would disagree that the "*field parcel itself is visually contained with high level hedges so views are limited to immediate views from the adjacent PRow/lane*". The Site is open along the western boundary – being part of a wider arable field unit. The road-side hedge is sparse.
- Visual Effects: Within Para.6.33 it is stated that the 'effect' at 15 years post completion would be 'None' on the PRow W3/15 (which runs along the southern edge of the Site and shares the access point off Atrim Road). I would strongly disagree with this judgement – as the user of the PRow will have direct and close-range views of the Development – when looking north with the Panels and Security Fencing forming significant new elements within the View.
- Views from Salway Ash (to the north of the Site) – 2no. Viewpoints have been assessed within the LVA where it has been assessed that there may be 'glimpsed views' of the Site. The view from the Village's Recreation Ground/Amenity Area were not assessed – and I would advise that the Site would be clearly visible in views from this publicly accessible area (*see photo on website comments*).

The Development would occupy a 'triangle' of sloping land that currently appears as part of the wider farmed landscape. The Arrays would give rise to a new focal element within the view – with the visual effect increasing during the winter months.

- Photo 16 (View from Colmers Hill) – the Site has been incorrectly identified within the View and the annotations are, therefore, misleading. My Photo (below) identifies the Site location correctly.
- Summary and Conclusions of the LVA – I would disagree with the judgement of ‘Minor Adverse’ for the residual landscape and visual effects of the Scheme. The proposed location of the Development within the AONB and directly impacting a PRow will result in a number of locally significant effects such as the planting up/enclosure of an otherwise elevated and open field unit, the impact on the perceived sense of ‘tranquillity and remoteness’ of the Site and on the AONB’s ‘undeveloped rural character’.

Landscape Mitigation – The LVA does not contain a section on ‘Mitigation’ which is unusual – although the aim of the planting appears to be largely focused on net biodiversity gain. The proposed landscaping comprises the following elements:

- Proposed native species hedge to the Atrim Road boundary
- Proposed corner ‘copse’ and native shrub planting to the northern corner.
- Proposed linear ‘woodland copse’ and individual pockets of native shrubs to the western edge of the Site.

Regarding the above planting – I have concerns over the sheer range of species within the proposed Woodland Copse planting (no fewer than 9 species of tree). The shrub planting within the mix contains ‘Amelanchier’ – which is not a native species and should be omitted. The proposed mix of tree species is not characteristic of the local landscape character – and the number of tree species should be reduced if a locally sympathetic planting is to be achieved. I also note that many of the trees are to be planted at 60-80cm size – and would fail to provide any visual benefits for many years. I would advise that the trees be planted at a minimum of feathered whip size ie. 150-175cm.

### **Landscape Officer- Final Comments on Amended landscape plan/information (summary)-**

Still unable to support- adverse impact on amenity of the public right of way on southern boundary. Accept “rustic” security fencing, access gates and planting of new hedgerow will assist in assimilating the development but maintain overall concern that proposals and landscape mitigation measures at odds with prevailing landscape character. Main access/parking area; concern “grass-crete” would have engineered appearance -compacted scalping better. Preferable to avoid formal kerbing. Resistant to the use (loss of) Grade 1 agricultural land.

If you were minded to approve this Application – I would recommend planning conditions be applied which require:

- Submission of detailed planting plans and a specification for the soft works
- The submission of a LEMP in line with the approved DBAP
- Details for the materials and colour finish of associated structures (ie. cabinets/security fencing)
- Details of the access track and parking area materials and construction.
- Details for the decommissioning and reinstatement of the Site.

### **Allington Parish Council -**

Object- This is in an AONB and will have a detrimental effect on the landscape. We are deeply concerned about this application and have had many residents express the same to us. We are also concerned that this may pave the way for more of this within close proximity to this site. This site is not suitable for this and the applicant does have other sites to choose from that would be more appropriate. We strongly object.

### **Symondsburry Parish Council (a neighbouring Parish Council)-**

The application was thorough and included a consultation process with residents of the local area. The solar panels array was located to the side of an existing field which also housed the water main connecting to the reservoir as well as power lines to the edge of the field along the roadside. The inverters were well screened and the power transformer was housed alongside the existing building adjacent to the reservoir. The land occupied is of agricultural quality and does sit within the AONB. The land is screened for the road and the land is not level rising from the reservoir area. The proposal is small compared to some national schemes however it is clear the proposals are for the benefit of local users should they wish to join the scheme. There are many of these local schemes which benefit the local area across the UK and as in this instance it is felt produce less than substantial harm to the environment.

Consideration: The committee debated the benefits of the proposals compared to the harm they may create. It is clear that the land use will change from arable production to power generation and grazing. The maintenance strip required by the water main forms a natural boundary for the solar arrays as does the road and hedgerows. It was felt that the screening provided was acceptable currently and would improve over the years ahead by good woodland management. It was also felt that the benefit to local people in excess of 200 homes was difficult to ignore, especially as the effect on the AONB was less than substantial. They felt that the proposal was acceptable in the light of the climate emergency.

Conclusion: In summary the committee found, on the balance of requirements, the proposals were acceptable. The following apply: Local Plan: INT1, ENV1, ENV2, ENV8, ENV10, ENV15, SUS5, COM11, Neighbourhood plan, CC4, EE2, L1, L2, D5.  
Decision: Approve

### **Representations received**

(Full versions of the letters can be viewed in the website)

44 Letters of objection/comment have been received. The main planning-related points include:

- will harm natural beauty of the Area of Outstanding Natural Beauty (AONB)
- AONB should be afforded the highest status of protection under the National Planning Policy Framework (NPPF)
- will neither conserve nor enhance the AONB
- detrimental to open views from well used public rights of way adjacent and in wider locality
- detrimental to views from landmarks including Colmers Hill, Jans Hill

- landscape screening ineffective in short to medium term
- landscaping ineffective in winter months
- inadequate landscaping
- Grade1 agricultural land should not be taken out of food production
- solar energy should be used on buildings -not take up Grade1 agricultural land
- query what happens to equipment at end of temporary period

- detrimental to views from public rights of way
- lack of photomontages/photographs of fencing, signage, cameras to help assess.

- poor visibility at access
- traffic speeds unrestricted-detrimental to highway safety on Atrim Road and Dottery Crossroads
- construction phase-danger to road users
- Atrim Road farm and other traffic may be inhibited by the development
- inadequate information on how large vehicles will enter site -given site levels
- highway safety impacts from ongoing maintenance
- interruption to public access during construction phase

- detrimental effect on ecology
- any benefits to screening reservoir are much overstated
- security camera positions not clear

- security cameras may have adverse effect on residential amenity (privacy) of nearby dwellings
- detrimental impact of the development on mental health

- applicant not provided sufficient community engagement
- inaccuracies in Planning and Design Statement
- fencing line shown blocking the public footpath
- inaccuracies in plans-does not aid understanding
- overstate benefits case for temporary as 40 years is a substantial time for the landscape to be changed

- considered contrary to various documents: NPPF paras 11,174,176; Countryside and Rights of Way Act 2000-section 85; West Dorset, Weymouth and Portland Local Plan 2015-ENV1, ENV10; Bridport Area Neighbourhood Plan 2020-2036 (May 2020)
- objectives 3,4,12,14; AONB Management Plan 2019-2024-objectives C1, C2,C3; Dorset AONB Planning Protocol-para 2.5 ; Brit Valley and Marshwood Vale Strategic Management Plan ; UK solar strategy 2013 (detail of these concerns are explored in depth in the full letter on website)

- refusal would be consistent with other refusals of solar panels and other development made by Dorset Council
- landscaping would "channel" walkers into a narrow footpath path corridor adjacent to site.

Planting may not occur straightaway due to planting season timing causing visual harm with the "delay"

- landscaping will take time to establish and be inadequate to effectively screen development.
- query how the development will be removed as temporary

- high cost of recycling used solar panels
- question the comprehensiveness and credibility of the landscape and Visual Assessment

- Dorset already in top 15% of over 400 local authority areas in UK for renewable energy generation – which must be considered in planning balance given highly sensitive nature of site.

- inconsistencies in landscape and visual appraisal undermine its credibility
- does not comply with pre-planning guidance of Dorset Council, and AONB Team
- unacceptable loss of privacy -contrary ENV 16 policy and section 8 of the Human Rights Act

- non-compliance with Dorset Biodiversity Protocol

- should avoid this development on valuable Grade1 classification agricultural land

- land should be retained for helping food security

- lack of community engagement and support

- Statement of Community Involvement leaflet was inaccurate on size and nature of the scheme

- errors in planning and design statement

- site should be outside the AONB

- detrimental impact on flora and fauna

- no landscape and ecological management plan has been provided

- if approved, minimise disturbance to existing hedgerows to conserve habitat

- polarising light effect -risk to wildlife

- Biodiversity plan-should be adjusted to avoid strimming around new hedgerow planting-risks de-barking

- detrimental to setting of listed buildings nearby

- only a small number of properties will benefit from the solar panels

- less visually harmful sites should be used

- prefer nuclear reactor with bi-products of green energy

- question credibility of applicant's heritage statement

- consider applicants landscape and visual assessment lacks sufficient content/information

- limit consent to 2 years only

- no further expansion should be permitted

- issues of glint and glare

- adverse effect on night sky from cctv cameras

- detrimental to views of road users passing site

### **125 letters of support received. The main planning-related points include-**

- (Cllr Bawden: Following the Climate and Ecological Strategy-important to work collaboratively on community energy schemes. The applicants scheme seeks to offset climate and ecological emergencies. It will benefit local people by providing cheaper renewable energy. Useful precedent for other communities to do similar. Such schemes help develop resilience in the face of rising energy prices, economic uncertainty and potential climate and ecological risks so should be supported

- helpful given the current energy price increases

- a step toward helping energy security
- valuable local initiative providing renewable energy to local people at affordable prices
- useful precedent that should be replicated elsewhere
- supports Dorset Councils Climate and Ecological Emergency Strategy
- a contribution towards climate emergency
- given the energy crisis-a urgently needed project
- welcome move away from fossil fuels
- a well-conceived community scheme
- small, carefully sited project, unobtrusive
- will benefit about 200 households with access to cheap energy from a renewable source
- 250 000kWh per year-saving circa 62 tonnes CO2 per yr
- compelling alternative to the use of fossil fuels
- the site is small scale and should be supported
- will enhance the local environment
- panels can be easily hidden by the landscaping
- visual impact will only affect relatively few people
- Dorset Community Energy has good track record in supplying energy
- landscaping will help increase the ecological diversity of the site from the existing
- land for food needs to be made available more widely
- important to ensuring local energy resilience
- helps decrease need for burning fossil fuels
- will contribute to Governments zero carbon target by 2035
- would be good to have solar arrays on all large industrial buildings and to be installed on all new builds
- preferable to costs of burying cables as part of energy supply
- land is not lost permanently from agricultural production
- will provide local low income households with the opportunity with cheaper electricity
- an alternative to LPG
- biodiversity gains will also help with the current ecological emergency
- likely useful saving to consumers of £0.5m over 20 years-benefits to local economy
- benefit those unable to install solar panels
- will provide educational opportunity for schoolchildren to visit site
- prefer wild flower planting as better for aiding pollination
- applicant tried hard to involve local people in the plans
- benefits will outweigh any adverse visual impacts
- first example in England of new renewable energy directly supplied through the grid to local households
- will reduce pollution

## 10.0 Relevant Policies

### West Dorset, Weymouth & Portland Local Plan

ENV 1 – Landscape, Seascape and Sites of Geological Interest

ENV 2 – Wildlife and Habitats

ENV 4 – Heritage Assets

ENV 5 – Flood Risk

ENV8 - Agricultural land and farming resilience

ENV 10 – The Landscape and Townscape Setting  
ENV 12 – The Design and Positioning of Buildings  
ENV 15 – Efficient and Appropriate Use of Land  
ENV 16 – Amenity  
SUS 2 – Distribution of Development  
COM 7 – Creating a Safe and Efficient Transport Network  
COM 9 – Parking Standards in New Development  
COM 11 – Renewable Energy Development  
Material Considerations

#### National Planning Policy Framework

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

#### Other material considerations

Design and Sustainable Development Planning Guidelines (2009)  
West Dorset Landscape Character Assessment 2009  
AONB Management Plan 2019-2024

Bridport Area Neighbourhood Plan 2020-2036-  
CC4 Neighbourhood Renewable Energy Schemes  
L1 Green Corridors, Footpaths, Surrounding Hills, and Skylines  
L2 Biodiversity

National Planning Policy Guidance

#### Environmental Impact Assessment (EIA)

The application has been screened and is not considered EIA development.

### **11.0 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.

### **12.0 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. Parking area for maintenance is located close to arrays, which would make access for site maintenance easier for any less mobile operatives.

### **13.0 Financial benefits**

Employment created during construction phase.

Reduced electricity costs to customers using this supply.

### **14.0 Environmental 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 the construction of a solar farm, to include the installation of solar photovoltaic panels having an approximate installed generating capacity of 252 KWP of electricity, enough electricity to meet the energy needs of approximately 84 homes. The solar arrays would be in place for a period of 40 years -not an unusual period for this type of development. The period of 40 years generally coincides with the end of the life expectancy of the arrays whilst they generate electricity at an economical scale.

Regarding emissions, clearly there will be some produced during the manufacture of the panels and associated equipment. The transportation to site and anticipated 6 week construction period will involve some emissions. Occasional visits using a small van would be carried out post-construction. These various emissions must be balanced against the benefits of renewable energy generation available for 40 years.

### **15.0 Planning Assessment**

**Principle of development-**

5.1 Policy COM 11 of the adopted West Dorset, Weymouth and Portland Local Plan 2015 provides policy support for the principle of renewable energy development (with provisos) as follows:

*Proposals for generating heat or electricity from renewable energy sources (other than wind energy) will be allowed wherever possible providing that the benefits of the development, such as the contribution towards renewable energy targets, significantly outweigh any harm. In addition, permission will only be granted provided:*

*-any adverse impacts on the local landscape, townscape or areas of historical interest can be satisfactorily assimilated*

*-the proposal minimises harm to residential amenity by reason of noise, vibration, overshadowing, flicker, or other detrimental emissions, during construction, its operation and decommissioning*

*-adverse impacts upon designated wildlife sites, nature conservation interests, and biodiversity are satisfactorily mitigated.*

5.2 Regarding the Bridport Area Neighbourhood Plan Policy CC4 (Neighbourhood Renewable Energy Schemes) is also particularly pertinent, and states :

*Proposals for individual and community scale renewable energy will be supported subject to the considerations outlined in national policy and guidance.*

5.3 It will be gathered that the above Local Plan policy requires a number of planning-related areas to also be satisfactorily addressed. Furthermore, there are other relevant material considerations to be assessed. The support of the Neighbourhood Plan Policy is also crucially caveated by the national policy considerations. These various issues will be examined in the further sections of the report.

5.4 As a general context Dorset Council recognises that energy needs to be produced from renewable sources and the Council must aim to provide this within its administrative area. The Council recognised this by declaring a climate emergency at a meeting on May 16th, 2019 (updated to a Climate and Ecological Emergency in November 2019) with the aim of taking a lead as an authority in tackling climate change. In July 2020, a draft Climate and Ecological Emergency Strategy (CEES) was produced to ensure that the Council is carbon neutral by 2040 and the wider country by 2050. The final version of the CEES was published in July 2021. A CEES Progress Report – Spring 2022 has more recently been published which in relation to renewable energy sets out that a “working group is exploring what can be done under the existing planning policy framework to be as proactive as possible on increasing renewable energy development in Dorset”. The progress report also sets out next steps including “develop opportunities to support renewable energy through existing planning policy framework” and “work with partners and developers to bring forward large scale renewable energy projects”. Local Plan policy COM 11 (as above) explains how the Council will assess renewable energy applications. Section

14 of the National Planning Policy Framework (NPPF) states, amongst other requirements, that Councils do not expect applicants to justify the need for renewable energy development. They are recognised as providing a valuable contribution to cutting greenhouse gas emissions. But it also states approval should only be granted for renewable and low carbon development if its other impacts are acceptable.

5.5 This particular proposal is expected to have capacity to export 252.2 KWP to the local grid. It is anticipated it will generate c 300,000KWh electric per year (ie approximately equal to the annual usage of 84 homes).

The applicant has carried out a feasibility study evaluating 5 potential sites (as detailed in the submitted feasibility studies) before focussing on this particular site. Infrastructure costs and planning constraints were assessed as part of that process. The development now proposed would produce a source of renewable energy and a cut in greenhouse gas emissions.

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

#### **Effect on the Area of Outstanding Natural Beauty and Visual Amenity-**

5.7 This section explores the general thrust of both the AONB Officer and Landscape Officers comments - a final balancing of these views is addressed in the later "Planning Balance " section.

5.8 The site lies within the Dorset Area of Outstanding Natural Beauty. It falls within the Brit Valley Landscape Character Area and the Undulating River Valley Landscape type. The special qualities of this area include "undulating hills with shallow branching clay valleys " and "small oak, ash and hazel woodlands on valley sides with large arable and pastoral fields with strip lynchets" The AONB Management Plan also notes that:

"Away from Bridport and Beaminster, the area has *largely retained its strong undeveloped rural character* (my emphasis), with associated characteristics of tranquillity, remoteness and dark night skies".

5.9 "Regarding the "Major" development in AONB issue as set out in the NPPF; given the relatively small scale and more localised scale of impacts it is not considered that the development is "major" development for the purposes of the NPPF.

5.10 The AONB Landscape Character Assessment judges this landscape to have a *moderate* character. Outside of the main settlements, the patterns of landscape elements are stronger, although intensive farming practices have eroded a number

of landscape features. Development can have a negative impact particularly around the urban fringe and in the more open and coastal areas.

5.11 The development comprises 388 photovoltaic units onto 20 galvanised steel table frameworks arranged on 12 arrays supported on driven galvanised steel piles. The panels would be inclined at 22 degrees and reach 2.52m height with a 0.6m space below them. The security fencing would be 2.4m high. Associated structures include an inverter in a GRP enclosure, a pole-mounted transformer (to replace the existing pole) and security cameras – at 3m height. The overall site area of the panels themselves is about 4,200m<sup>2</sup>

5.12 A Landscape and Visual Assessment was submitted and has been considered by both the AONB Officer and the Councils Landscape Officer. The AONB Landscape Officer has been consulted and considers the scheme results in some relatively localised adverse landscape and visual effects. He considers that the: *proposed development is of quasi-industrial appearance. Whilst recognising the renewable energy credentials of the proposal, the aesthetic character of the proposal results in contrast and juxtaposition with the underlying 'natural' character of the site and its wider landscape setting.*

He comments that the main public views of the site are from Footpath W3/15 (immediately adjacent the south edge of the site), a section of Atrim Road alongside the site and a section of Footpath W36/28 about 250m north of the site.

5.13 The AONB Officer concludes that:

*Overall, in relation to the special qualities of the AONB, it is considered that the selection of a countryside site adjacent to a footpath and road **will result in some significant but localised impacts that are unlikely to be fully mitigated through the measures proposed and the amendments that we have identified above** (my emphasis). The proposed planted mitigation, if amended, has the potential to largely address adverse impact on the AONB's 'uninterrupted panoramic views' special quality in the long-term. Concerning the 'tranquillity and remoteness' special quality, personal reactions to the presence of the development in the proposed location area likely to vary. The site is adjacent to a reservoir and road, with residential dwellings also nearby. Given the relatively small-scale of the project and the relationship with existing features, we consider that the aforementioned special quality is unlikely to be significantly affected, although a notable localised change to perceptions of tranquillity is foreseeable.*

*Overall, it is the AONB's 'undeveloped rural character' special quality that is probably subject to the greatest impact at a local level, with adverse effects of significance being foreseeable at year 1, reducing by some degree over time. In reaching a balanced decision, this impact will need to be weighed against the benefits of the proposal, as per AONB Management plan policy C1a: "Development that does not conserve and enhance the AONB will only be supported if it is necessary and in the public interest."*

5.14 The Councils Senior Landscape Officer also expresses concerns and is unable to support the scheme. In addition to the AONB Management Plan policies the adopted West Dorset, Weymouth and Portland Local Plan 2015 includes relevant

policies seeking to protect the AONB; Policy ENV1 (Landscape, Seascape and Sites of Geological Interest) is particularly relevant here:

*The plan area's exceptional landscapes and seascapes and geological interest will be protected, taking into account the objectives of the Dorset AONB Management Plan and World Heritage Site Management Plan. Development which would harm the character, special qualities or natural beauty of the Dorset Area of Outstanding Beauty or Heritage Coast, including their characteristic landscape quality and diversity, uninterrupted panoramic views, individual landmarks, and sense of tranquillity and remoteness, will not be permitted.*

*ii) Development should be located and designed so that it does not detract from and, where reasonable, enhances the local landscape character. Proposals that conserve, enhance and restore locally distinctive landscape features will be encouraged. Where proposals relate to sites where existing development is of visually poor quality, opportunities should be taken to secure visual enhancements. Development that significantly adversely affects the character or visual quality of the local landscape or seascape will not be permitted.*

*iii) Appropriate measures will be required to moderate the adverse effects of development on the landscape and seascape.*

5.15 The Senior Landscape Officer includes comments as follows:

This would constitute an uncharacteristic new "element" detrimental to the (AONB) Special Qualities by affecting "uninterrupted panoramic views and undeveloped rural character". They consider the development would detract and not enhance the landscape character as the structures would be at complete odds with this character. The comments include the following analysis:

- *Would the proposed Development significantly adversely affect the character or visual quality of the local landscape? Does the Development identify opportunities to secure visual enhancements? ENV1ii)*

*The proposed Development has the potential to generate 'significant adverse local visual effects' – which would be exacerbated by the juxtaposition with adjacent rolling farmland and woodland. These 'effects' would be most perceptible from close range (PRoW W3/15) and mid to long range views from the north through to the south-west/west.*

*In terms of 'visual enhancements' – the Proposals comprise tree/shrub and hedge planting that, in my opinion, would be out of character within the wider context of open elevated farmland.*

- *Have appropriate measures been taken to moderate any adverse landscape and visual effects the Development may have? ENV1iii)*

*The Proposals are supported by a 'Landscape Strategy' – The proposed landscaping would assist in screening mid-long range views from the south-west but there would be significant adverse visual effects from PRoW W3/15 and from the elevated section of Atrim Road.*

**CASE OFFICER-Summary of AONB and Senior Landscape Officers Views with Preliminary Officer Comments-**

5.16 As Case Officer- having considered the views of both landscape officers, in the context of *longer* distance views of the site including from landmark hills (eg Colmers Hill), the significant distance coupled with the relatively small scale is likely to mean there is only a relatively modest effect on such views. The AONB Officer takes this view subject to landscaping.

5.17 Turning to the site itself, the change from a portion of open arable cropped field to one containing a fairly dense assemblage of man-made PV structures, arranged in a geometric repeating pattern, enclosed by a 2.5m security fence and ancillary structures would invariably impart a semi-industrial appearance which would be in sharp contrast with the established open farmland and rural landscape context. Rather than giving current extensive views to the landscape beyond to the north, east and west this would be replaced by a closely confined section of the footpath along the southern edge of the new security fencing with views of the panels dominating in the foreground, detracting from the current open views to the north. This is for about a 230m section. In terms of the closest public footpaths the views that would be most notably affected include the views from the W3/15 footpath looking east as one ascends the slope to the site itself, and to some extent from a section of W36/28 to the north, together with the elevated section of Atrim Road adjacent to the south end of the arrays.

5.18 However, the development does include a proposed landscaping scheme – which seeks to satisfactorily mitigate the visual effects of the development. This comprises groups of coppice woodland including a linear belt on the west side. Areas of scrub planting are included together with a new native hedgerow to the east side. The scheme is expected to take 15 years to reach its effectiveness as a landscape and screening feature. Consequently, the visual “rawness” of the development would remain apparent for an extended period during the landscaping maturation phase.

The AONB Landscape Officer is broadly supportive of the landscaping. The Councils Landscape Officer does not feel this would adequately mitigate the visual harm caused to the AONB. They acknowledge this would assist in screening mid-long range views from the south-west but feels there would be significant adverse visual effects from the adjacent footpath and from the elevated part of Atrim Road; they also feel the main tree planting would effectively “enclose” an otherwise more open character of landscape on the western side to the detriment of the landscape pattern; they consider the proposals comprise tree/shrub and hedge planting that would be out of character within the wider context of open elevated farmland.

5.19 Regarding the existing landscape context, the Case Officer notes that there are established native hedges with hedgerow trees and other tree groups in the near and wider locality. The proposed landscape scheme put forward does “pick-up” on these local landscape attributes. The scheme is also influenced by the constraint of the 4m buffer required by the Wessex Water main (resulting in scrub planting and the trees being further to the west than might otherwise have been the case), and by the measures required to satisfy the bio-diversity plan. There are existing patches of woodland in the locality. This proposal may be less typical in that it involves the

landscaping of an elevated site rather than a lower landscape tract- but there are hedges with hedgerow trees nearby. Establishment of an eastern boundary hedge would not be an alien feature. Clearly, one effect of the landscaping would be to reduce the extent of views from the south end of the site looking north; on both uninterrupted panoramic views and on undeveloped rural character (AONB Special Qualities) -particularly on the footpath adjacent the site itself. At present, there are extensive open views sweeping from the west round to the north to appreciate the tracts of landscape present. This would invariably be reduced if the scheme proceeded -although to some extent the more distant views would be retained – but when the western edge of the site has been passed by a walker heading westward, say.

5.20 The Tree Officer has suggested various tree surveys might be carried out. However, in this particular instance the Case Officer considers a tree/hedgerow protection condition would be sufficient if the scheme were supported.

#### **Effect on Agricultural Land-**

5.21 A number of representations have been received expressing concerns over the loss of quality agricultural land (for food production). From the Agricultural Land Classification map this land would *appear* to be Grade 1 (the best most versatile land) -however the classification is “provisional” meaning that the maps are valid today as a strategic guide only and cannot be definitively relied on to identify specific fields as categorically Grade 1. There are no post 1988 Agricultural Land Classification surveys to determine the precise grade of this field. Hence it is difficult to say categorically that this is Grade 1 land. It should also be noted that the area is far below the 20 hectare threshold requiring formal consultation with Natural England. It is however fair to say this is clearly productive agricultural land which has been used to grow arable crops. As the applicant indicates the addition of solar panels with 0.6m gap above ground could allow some sheep grazing beneath and around the panels on the meadow mixture grasses. If so, this would provide an element of continued productive agricultural output, albeit modest. It is also conceivable the land could be returned to fuller agricultural production with the removal of the panels in the future. In any event the land area actually affected at about 0.89 ha is not considered substantial as an area removed from substantive agricultural production.

#### **Residential Amenity-**

5.22 The site is located to the west of residential properties, mainly associated with the B3162 Dottery Road, although there are also properties to the north-west such as Colly Farm (about 113m away). This does have windows facing the site but at a significant distance. The nearest residential property is Dottery House. Its garden is the opposite side of the Antrim Road and hence about 5m from the application site boundary.

5.23 The proposal includes CCTV cameras along the security fencing. Regarding the closest house, in distance terms the nearest fencing to support cameras would be about 38m from the first floor principal room windows facing toward the site in Dottery House. Other properties on the Dottery Road have windows facing towards the site. The applicant is aware of potential privacy concerns of residents nearby. If

approved a condition would be included to ensure control over the location, design and orientation of the CCTV cameras.

5.24 The scheme would involve a construction phase anticipated at 6 weeks. During this period there would be a number of variable-sized vehicles delivering materials and equipment to the site. There would invariably be noise and activity associated with this period, including noise from the on-site plant and machinery including use of a piling machine. Once constructed any noise from on-site apparatus would need to be within acceptable limits. The Environmental Health Officer commented:

*Should planning permission be granted for this development, it is recommended that a condition be applied, requiring that noise from any plant on site (e.g. transformers, inverters etc.) be characterised using a suitable acoustic standard, e.g. BS 4142:2014+A1:2019, and any necessary mitigation measures identified and incorporated into the development.*

If this development were to be approved a suitably worded condition including a construction management plan could be used to help mitigate any adverse residential amenity issues. In these circumstances the scheme is considered acceptable in residential amenity terms.

#### **Effect on Heritage Assets-**

5.25 A Heritage Assessment was submitted as part of the application. There are several mainly Grade II listed buildings in the locality including Colly Farmhouse, Limbury (Grade II\*), Lower Atrim Farmhouse, and Atrim Gore Farmhouse. The nearest to the site is Colly Farm about 113m to the north-west ; a natural stone/thatched dwelling with Limbury about 400m away. The development will have an effect on the setting of the nearest listed buildings -most notably Colly Farm. However, the distance of about 113m between it and the site comprising mainly open field coupled with the existing hedgerow/trees to the nearest (north) site boundary and the relatively low height of the scheme is considered to constitute less than substantial harm to the setting of this and the other listed buildings (at greater distances). In assessing these proposals, particular consideration has been given to the Council's duties under Section 66 and Section 72 of the Planning (Listed Buildings and Conservation Areas Act 1990 (as amended)). The judgement of less than substantial harm has to be weighed in the planning balance regarding public benefits in accordance with the NPPF and para 202 in particular.

5.26 It is concluded in respect of heritage matters, that the public benefits of the renewable energy generation would outweigh the less than substantial harm to heritage assets.

#### **Effect on Flood-risk-**

5.27 The site lies in Flood Risk Zone 1 (lowest risk). The Flood Risk Management Team have provided comments as below:

*Industry standard solar panel installation positions the panels above ground and the area below the panel is normally grassed and allowed to be grazed by sheep. The potential increase in impermeable surface due to solar panels is generally considered negligible. There are no ancillary buildings proposed.*

*There is a very modest access road proposed. The design and access statement includes a brief section on flood risk and drainage (Section 8). With regards to the proposed access road, the design and access statement states that the access road will be of a permeable material (section 8.6). Considering the location of the proposal, the potential for an increase in flood risk off site to affect third party property due to the development is negligible. Additional landscaping is proposed around the borders of the site which may reduce runoff from the area in its current state (grassed). I do not object to the proposal.*

It is clear from the above that the nature of the development is not one where a surface water drainage strategy is required. In these circumstances the scheme is acceptable from a flood risk point of view.

### **Effect on Biodiversity-**

5.28 An Ecological Impact and Biodiversity Net Gain Assessment has been submitted. This indicates the arable habitat is of negligible ecological importance, with the margins and hedgerows of local importance. In terms of potential habitat gain the measures proposed would provide 119.76% of habitat units and 61.8% of hedgerow units. This would reach the Councils 10% biodiversity net gain standard. The applicant has provided a biodiversity mitigation plan (BMP) as part of the application. This includes 167m of new native species hedgerow to the east boundary, 0.16ha of native broad-leaved trees, 0.09ha of native shrub planting together with species-rich meadow and separately tussocky grassland areas. These will provide a habitat mosaic for foraging and nesting habitats for species such as small mammals, bats and birds. The woodland would comprise 50% larger canopy trees including oak. Smaller canopy trees would include hazel, field maple and rowan. The new "ride" (lower vegetated strip) towards the west would include species-rich scrub including dogwood, privet and wayfaring tree.

5.29 Regarding lighting the BMP also indicates that lighting will only be required for the temporary construction period, between 1<sup>st</sup> April -31<sup>st</sup> October starting no earlier than 30 minutes after sunrise and finishing no later than 30 minutes prior to sunset with no site lighting to be left on overnight. This measure could be addressed by a planning condition if the application were approved.

The BMP has been assessed by the Natural Environment Team who, following some adjustments, consider it to now be acceptable.

### **Highway Safety-**

5.30 The site is accessed from an existing vehicular access off the unclassified Atrim Road. This runs off the B3162 Dottery Road lying just to the east (which runs north-south) and which involves a crossroads with Pymore Lane. Atrim Road alongside the site is a narrow lane c 3.25m wide with informal passing places and which "sinks" relative to the site heading northward. Regarding the construction phase this is anticipated to be approximately 6 weeks. The related traffic is estimated by the applicant to include an articulated container lorry for the PV modules, 2 flat-bed vehicles, small delivery vans, plant and machinery including a piling machine. The Highways Officer has commented: *the proposal does not present a material harm to the transport network or to highway safety and consequently has no objection.* He has also mentioned that temporary safety measures may be required at the site during the construction phase. If the application were approved a Construction

Management Plan would be included as a condition. In these circumstances it is considered the scheme is acceptable in highway safety terms.

### **Case Officer Assessment of Planning Balance-**

5.31 The site lies within the Dorset Area of Outstanding Natural Beauty on an elevated site and visible from part of the adjacent Atrim Road, from public rights of way (adjacent and further afield). Hence it is a sensitive site in visual terms. From analysis of my own thoughts and the consultation responses the acceptability or otherwise of this scheme brings a particular focus on the effect on the AONB balanced against the identified planning benefits. Para 176 of the National Planning Policy Framework states that:

*Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within all these designated areas should be limited.*

5.32 At the local level the West Dorset, Weymouth and Portland Local Plan 2015 includes policies to protect sensitive landscapes such as ENV1 which seeks to resist development which would harm the character of the AONB. The AONB Management Plan contains various policies seeking to conserve and enhance the AONB. The AONB Officers response in summary saw this as resulting in some relatively localised adverse landscape and visual effects, acknowledging that the renewable energy benefits needed to be considered. The Senior Landscape Officer has a number of concerns including loss of open panoramic views from the public footpath, loss of the openness of this section of landscape and the landscaping scheme which they feel itself is inappropriate as it reduces the openness of the site in the context of the generally more open landscape. They acknowledge the impacts will need to be weighed against the benefits.

5.33 The Case Officer considers that the scheme would inevitably change the character and openness of the site; the openness would be replaced by a geometrically repeating series of 2.52m high arrays surrounded by 2.4m high security fencing and ancillary equipment. The structures of steel and other man-made materials would impart a semi-industrial character which would visually “jar” with the otherwise largely undeveloped rural context. The Case Officer shares the view of the AONB Landscape Officer that the views from more distant locations such as Colmers Hill are at a distance such that they would be less impacted by the scheme.

5.34 The applicant mentions the “artificial” elements of telegraph poles, over-head lines and the reservoir site as being structures that *already* undermine the open rural character of the landscape. The Case Officer does not see these particular elements as setting a significant “development” precedent for the scheme because the covered reservoir/building and its flat-roofed 4m high buff coloured service building are considered visually fairly innocuous and the poles/lines are felt to be an accepted part of the established rural scene.

5.35 In the context of the National Planning Policy Framework 2021 para 158 states: *When determining planning applications for renewable and low carbon development, local planning authorities should: a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and b) approve the application if its impacts are (or can be made) acceptable . . .*

It is fair to say that this site can be regarded as small scale in solar park terms. However, the impact and mitigation offered needs to be carefully considered.

5.36 The first section of the public footpath along the southern edge of the site would no longer offer extensive views north/north-west due to the “enclosure” of the fencing on the north side. However, much of the extensive views west and northwards would still be available to the walker on reaching the south-west corner of the array enclosure. Following the footpath south-westwards to the lower part of the field and looking back; the arrays/fencing would be visible (at the inception of landscaping) as an elevated feature on the “summit” top. Similarly, the south-eastern/eastern portion of the scheme would be visible from Atrim Road (at the inception of landscaping). As Case Officer I note the substantive height of the (panels)scheme has a maximum of about 2.52m. The actual area of the panels themselves is reduced to some degree from the pre-application submission. On initial installation, for some years, the development will be visible in local views particularly.

5.37 The pre-application submission contained no landscaping information at all. However, this application includes a detailed landscaping scheme based on a native species hedge, copse and shrub planting, and a linear woodland copse on a roughly north-south axis. The AONB Landscape Officer considers the approach taken to landscaping to be broadly appropriate. The Councils Senior Landscape Officer takes a different view feeling that the woodland copses would undermine the sense of openness that helps to define landscape character in this locality and thus have an adverse effect on the AONB. The Landscape Officer also considers there are too many different tree species (9) in the woodland copse, that some species are not characteristic of the area and that the tree plant size is too small to achieve visual benefit more quickly.

*(Following negotiations, a further landscape plan GE-L-01 Rev F has been submitted; this includes more clarification of planting areas, and removes the species annotations (to allow scope for the final indicated species details to be agreed -to ensured compatible with a Landscape and Ecological Plan (LEMP):*

5.38 In their final comments on the amended landscape plan the Landscape Officer maintains their objection saying it would have an adverse impact on amenity of the public right of way on southern boundary. They do however acknowledge that the “rustic” security fencing, access gates and planting of new hedgerow will assist in assimilating the development but maintain overall concern that the proposals and landscape mitigation measures are at odds with the prevailing landscape character. They indicate regarding the main access/parking area; concern “grass-crete” would have an engineered appearance -compacted scalplings better. Preferable to avoid formal kerbing.

5.39 The Landscape Officer adds that if minded to approve the application conditions should include detailed planting plans/specification, an LEMP, materials finishes, access track/parking materials and decommissioning/reinstatement details.

5.40 Regarding the landscaping scheme this would reach substantive effectiveness after 15 years, hence giving a further 25 year full landscaping benefit to the development. Clearly it would be a progressive process over the initial 15 year period. As Case Officer I note the site already benefits from a hedgerow to the north – which contains mature trees. Furthermore, established native hedges with hedgerow trees and other tree groups are present in the near and wider locality. There are further (smaller) trees just south of the site on the boundary with the reservoir. The 40 year period applied for is clearly a substantial temporary period. However, it is not an unusual period for this development type. In the context of the AONB Management Plan the identified Special Qualities of “uninterrupted panoramic views” and “undeveloped rural character” are clearly impacted to some degree. As Case Officer it is fair to say in purely visual terms the scheme will not preserve nor enhance the AONB.

5.41 However, the application is not purely assessed on visual impact policies; besides NPPF advice there are various other relevant policies to consider; particularly pertinent are renewable energy policies. The adopted West Dorset, Weymouth and Portland Local Plan 2015 includes policy COM11 which supports renewable energy development providing the benefits significantly outweigh any harm (such as to landscape, residential amenity or biodiversity). The AONB Management Plan 2019-2024, whilst having policies to protect the AONB also includes Policy C3.f *Support renewable energy production where compatible with the objectives of AONB designation*. The Bridport Area Neighbourhood Plan includes Policy CC4 *Neighbourhood Renewable Energy Schemes: Proposals for individual and community scale renewable energy will be supported subject to the considerations outlined in national policy and guidance*.

5.42 I consider the key judgement revolves around whether the scheme has an acceptable impact on the AONB taking into account the mitigation offered together with other material considerations.

5.43 The scheme is for renewable energy generation to provide electricity by means other than through use of fossil fuels - which is a significant material consideration. Whilst any permission would go with the land rather than the applicant it is noted that the applicant is a local community-linked body; Dorset Community Energy and Local Energy Bridport. Of relevance here is the NPPF (para 156) which includes: *local planning authorities should support community-led initiatives for renewable and low carbon energy . . .* The applicant has stated that it is anticipated that the electricity generated will be approximately equal to the annual usage of 84 homes, and that it could equate to £500,000 savings over 20 years for local households and /or businesses from low-cost solar electric. The applicant summarises the proposal as: *Energy Local Bridport is the first Energy Local Club to be formed in England. The club is currently based on the nearby wind turbine at Salway Ash, from which electricity is sold to Bridport households who have become members. The club will be dramatically expanded by the proposed Dottery Close Solar Array, to a target of about 200 households, together with a number of local businesses who will also become members.*

*The households and businesses will benefit from being supplied with low carbon energy, which they buy at a price about 20% lower than the market price.*

5.44 Another material consideration is ecology. No proposals relating to ecological enhancement were included in the pre-application submission. The site currently comprises part of an arable field and as such provides limited habitat. The now submitted (and NET Team approved) biodiversity plan (BMP) includes various habitat gains including 119.76% of habitat units. Additionally 167 m of new native species hedgerow is proposed, 0.16ha of broad-leaved trees, 0.09ha of native shrubs plus tussock grassland and meadow. This is a significant biodiversity net gain providing useful elements of habitat mosaic.

5.45 Taking into account all the foregoing information in this report together with the relevant policies and guidance the Case Officer is of the opinion, on balance, that the benefits of the renewable energy production and ecological benefits outweigh the harm to the landscape and the Area of Outstanding Natural Beauty. Whilst the landscaping would change the open character of this particular site it is not felt this would be so great a change as to warrant refusal.

## **16.0 Conclusion**

16.1 Whilst this is a relatively small site it can make a useful contribution towards renewable energy provision. It is considered that the benefits of renewable energy generation and ecological gains outweigh the less than substantial harm to heritage assets. There would be no significant adverse impact on residential amenity nor on highway safety considerations subject to relevant conditions. Regarding the three objectives of sustainable development, from the economic objective the construction phase in particular would provide employment, and the cheaper energy would benefit customers. Regarding the social objective the scheme is likely to provide benefit to the wider local community in terms of sustainable energy. Turning to the environmental objective the proposal would provide landscaping with more varied ecological habitat as well as helping with moves toward a low carbon economy. The scheme is considered to have an acceptable visual effect on the Area of Outstanding Natural Beauty. It is considered to be in accordance with the relevant policies referred to earlier. Particular mention is made of policies ENV1, ENV4, ENV16 and COM11 of the West Dorset, Weymouth and Portland Local Plan 2015, policies CC4, L1 and L2 of the Bridport Area Neighbourhood Plan and the National Planning Policy Framework 2021.

## **17.0 Recommendation**

Grant with conditions:

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

Location plan TQRQM22255154905114

Array Details Rev 001

Block Plan (with Aerial Photo) Rev 004

Fence and Gate Detail DCE-001  
GRP and Solar DB Details Rev 001  
Landscape Proposals GE-L-01 Rev F

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 structures) 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 protecting the AONB and setting of 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 construction works or electricity generation, under scenario (b) or (c) 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 or construction works 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; 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 protecting the AONB.

5. Prior to the construction and installation of any PV panels, supporting structures, gates, fences and substation cabinets within the site, a materials schedule detailing the external colour and finish of each of the boundary treatments/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

6. Prior to the commencement of any development hereby approved, all existing trees and hedges (as shall be first shown on a submitted plan) shall be fully safeguarded in accordance with BS 5837:2005 (Trees in relation to construction - recommendations) or any other Standard that may be in force at the time that development commences and these safeguarding measures shall be retained for the duration of construction works and building operations. No unauthorised access or placement of goods, fuels or chemicals, soil or other material shall take place within the tree protection zone(s).

Reason: To ensure that trees and hedges to be retained are adequately protected from damage to health and stability throughout the construction period and in the interests of amenity

7. Prior to the installation of any PV panels, a detailed soft landscaping and planting scheme (based on plan GE-L- Rev F) shall be submitted to, and approved in writing, by the Local Planning Authority. The approved scheme shall be implemented in full during the planting season November - March following commencement of the development or within a timescale to be agreed in writing with the Local Planning Authority. The scheme shall include provision for the maintenance and replacement as necessary of the trees and shrubs for a period of not less than 15 years.

Reason: In the interest of visual amenity.

8. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to first export of electricity from the development hereby approved. 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.

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

9. Prior to commencement of development details of the materials and surfacing of the site access, parking and turning areas shall first have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with such details as have been agreed.

Reason: in the interests of visual amenity.

10. Prior to commencement of development hereby approved a Construction Traffic Management Plan and programme of works shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include construction vehicle details (number, size, type and frequency of movement), vehicular routes, delivery hours and contractors' arrangements (compound, storage, parking, turning, surfacing, drainage and wheel wash facilities). The development shall thereafter be carried out strictly in accordance with the approved Construction Traffic Management Plan.

Reason: In the interests of road safety.

11. The detailed biodiversity mitigation, compensation and enhancement/net gain strategy set out within the approved Biodiversity Plan dated 7/12/22 certified by the Dorset Council Natural Environment Team issued on 13/12/22 must be implemented in accordance with any specified timetable and completed in full (including photographic evidence of compliance being submitted to the Local Planning Authority in accordance with section J of the Biodiversity Plan) prior to the substantial completion, or the first bringing into use of the development hereby approved, whichever is the sooner. The development shall subsequently be implemented entirely in accordance with the approved details and the mitigation, compensation and enhancement/net gain measures shall be permanently maintained and retained for the lifetime of the development hereby approved, unless any variation to the Bio-diversity Plan has been agreed in writing by the local planning authority.

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

12. Prior to the erection of any security cameras and associated equipment, a plan showing the camera locations, orientation 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 nearby properties.

13. No illumination of the temporary construction phase lighting shall take place until details of the location, number and illumination details shall first have been submitted to and agreed in writing by the local planning authority. The construction phase shall be limited to a period between 1st April and the 31st October in any year (unless otherwise agreed with the local planning authority) and starting no earlier than 30 minutes after sunrise and finishing no later than 30 minutes prior to sunset with no site lighting to be left on overnight. There shall be no permanent lighting of the site without the prior written permission of the Local Planning Authority.

Reason: In the interest of visual amenity and ecology.

14. No electricity generation shall take place from the site until details to confirm that noise from any plant/installations will satisfy appropriate acoustic standards (eg BS 4142:2014 +A1:2019) has first been submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved details and any mitigation measures identified shall be incorporated into the development prior to any electricity generation at the site.

Reason: In the interests of protecting residential amenity

Informatives-

National Planning Policy Framework Statement:

In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

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

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

In this case:

- The applicant/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.
- The applicant was provided with pre-application advice.

The applicant should liaise with Dorset Highways prior to commencing any works on site to ensure all licences and permissions under the Highways Act, this may include temporary safety measures at the sites access during construction. With this in mind the following informative should be included if permission is granted:

The applicant should contact Dorset Highways by telephone at 01305 221020, by email at [dorsethighways@dorsetcouncil.gov.uk](mailto:dorsethighways@dorsetcouncil.gov.uk), or in writing at Dorset Highways,

Dorset Council, County Hall, Dorchester, DT1 1XJ, before the commencement of any works on or adjacent to the public highway, to ensure that the appropriate licence(s) and or permission(s) are obtained under the Highways Act, including agreement on temporary safety measures at the sites access during construction.

The applicant is advised that the granting of planning permission does not override the need for existing rights of way affected by the development to be kept open and unobstructed until the statutory procedures authorising closure or diversion have been completed. Developments, in so far as it affects a right of way should not be started until the necessary order for the diversion has come into effect.