

**Land South Holloway Lane/North Harmondsworth Lane,  
Holloway Lane, Harmondsworth**

**in the London Borough of Hillingdon**

**planning application no.1354/APP/2015/2752**

**Strategic planning application stage 1 referral**

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.

**The proposal**

Use of land for a solar energy farm for the local generation of low carbon electricity to the Local Distribution Network, including the installation of solar photovoltaic panels and associated infrastructure.

**The applicant**

The applicant is **British Solar Renewables** and the planning agent is **WYG**.

**Strategic issues**

**Green Belt** is the most relevant strategic issue for this scheme. The applicant has provided a case for very special circumstances in support of the planning application. The wider environmental benefits associated with the increased production of energy from renewable sources of the proposed development could constitute very special circumstances; however, the applicant will need to carry out further work to demonstrate this.

**Recommendation**

That Hillingdon Council be advised that the application does not comply with the London Plan, for the reasons set out in paragraph 33 of this report; but that the possible remedies set out in that paragraph could address these deficiencies.

**Context**

1 On 24 September 2015, the Mayor of London received documents from Hillingdon Council notifying him of a planning application of potential strategic importance to develop the above site for the above use.

2 Under the provisions of The Town & Country Planning (Mayor of London) Order 2008 the Mayor has until 30 July 2014 to provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor's use in deciding what decision to make.

3 The application is referable under Category 3D of the Schedule to the Order 2008: 1. *Development —*

*(a) on land allocated as Green Belt or Metropolitan Open Land in the development plan, in proposals for such a plan, or in proposals for the alteration or replacement of such a plan; and*

*(b) which would involve the construction of a building with a floorspace of more than 1,000 square metres or a material change in the use of such a building.*

4 Once Hillingdon Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or allow the Council to determine it itself, unless otherwise advised. In this instance if the Council resolves to refuse permission it need not refer the application back to the Mayor.

5 The Mayor of London's statement on this case will be made available on the GLA website [www.london.gov.uk](http://www.london.gov.uk).

## **Site description**

6 The application site is situated on the eastern side of Harmondsworth. More specifically, the site is bounded to the north by Holloway Lane and to the south by Harmondsworth Lane. Ansell Garden Centre is immediately north of the site. Heathrow Airport is located approximately one kilometre to the south of the site and the M4 runs further to the north.

7 The 7.82 hectares application site is square in shape and is relatively flat and forms part of a larger landholding which includes waste management operations adjacent to the eastern boundary of the site. The site is currently in agricultural use but was previously subject to mineral extraction and infilling with waste materials. The proposed development area on which the proposed development would be located comprises 4.11 hectares.

8 The site is located within the Green Belt as identified in Hillingdon Unitary Development Plan Policies Map.

## **Details of the proposal**

9 The application seeks a temporary planning permission to install a solar energy farm for a period of 25 years on the site. This involves ground preparation and civil works, the laying out of the solar arrays and 13,800 photovoltaic panels and associated inverters, substations, security fence and thermal imaging cameras, landscape planting, and connections to the electricity grid.

10 It is proposed that the PV panels be positioned on a rack at a minimum height of 0.8 metres above the ground and rise to a maximum height of approximately 2.4 metres. The PV panels will also be orientated to the south in order to capture maximum solar energy. The applicant advised that the solar farm would be designed to maintain setbacks from the site's boundaries, notably the western boundary and that landscape planting along the southern boundary of the site would screen the solar arrays from Harmondsworth Lane.

11 It is estimated that the proposed solar farm will have the capacity to produce approximately 5MW, or enough power to supply the needs of approximately 1,300 homes. The electricity produced on the site will be distributed via the Local Distribution Network.

12 While operating as a solar farm, the land will be retained in agricultural use. After that the solar farm will be removed and the land returned to agricultural use.

## Case history

13 The site has no strategic planning history. However, planning permission was granted on 3 September 1979 by the Department of Environment following a High Court appeal for the extraction of sand and gravel and refilling with waste materials on the Holloway Lane site (Planning Ref: 1354/A/73/316). Other planning permissions were subsequently granted for the extraction of sand and gravel and refilling of the land with inert material and restoration to agriculture.

14 On 30 May 2014, a planning application was submitted for a 12.8 hectare site to the north of Holloway Lane for the installation of a similar solar farm. Planning permission for this development was refused on 21 November 2014 because of the impact of the proposal on the Green Belt (GLA D&P/3448 and Local Planning Ref: 46223/APP/2014/1867).

## Strategic planning issues and relevant policies and guidance

15 The relevant issues and corresponding policies are as follows:

- Green Belt *London Plan, NPPF;*
- Sustainable development *London Plan; NPPF and NPPG; Mayor's Climate Change Mitigation and Energy Strategy.*

16 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is the Hillingdon Local Plan: Part 1- Strategic Policies (November 2012), the Unitary Development Plan Saved policies (September 2007) and Policies Map and the London Plan (Consolidated with Alterations since 2011).

17 The following are also relevant material considerations:

- The National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG); Planning Practice Guidance for Renewable and Low Carbon Energy (July 2013)
- The Hillingdon draft Local Plan: Part 2 – Development Management Policies, Site Allocations and Designations and Policies Map (Proposed submission version).

## Principle of land use

18 As noted in paragraph 8 above, the site lies within Green Belt. Hillingdon local plan's Strategic Policies Document Policy EM2 seeks to maintain the strategic functions of the Green Belt and ensure that any proposals for development in Green Belt is assessed against national and London Plan policies, including the very special circumstances test.

19 At the national level, the National Planning Policy Framework sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; with the essential characteristics of Green Belts being their openness and their permanence. Paragraph 91 of the NPPF regards elements of many renewable energy projects as inappropriate development when located in the Green Belt, and in such cases requires *developers to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environment benefits associated with increased production of energy from renewable sources.* Paragraphs 97 and 98 of the NPPF support energy generation from renewable and low carbon sources. The NPPG (para 013) sets out particular factors that a planning authority will need to consider when assessing applications for large-scale solar farms.

20 In accordance with the NPPF, London Plan Policy 7.16 accords the strongest protection to London's Green Belt and states that inappropriate development should be refused, except in very special circumstances. Based on the NPPF, the London Plan and Hillingdon Council's Policy EM2 the proposal comprises inappropriate development that is by definition harmful to the Green Belt and should not be approved except in very special circumstances which demonstrate that the potential harm to the Green Belt by reasons of inappropriate development, and any other harm, is clearly outweighed by other considerations. When considering the application, substantial weight should be given to any harm to the Green Belt.

### **Very special circumstances (VSC)**

21 The applicant has sought to demonstrate that the proposed solar farm constitutes very special circumstances in the context of Green Belt policy that justify development being permitted in this case. The VSCs advanced by the applicant can be summarised as follows:

- there is need for the development of sustainable, localised and renewable energy generation and meeting this need is a national priority;
- there is access to the Local Distribution Network from the site which is important for any renewable energy project to be viable, without substantial lengths of new connection which may be prohibitive;
- the site is considered to be lower grade agricultural land;
- the impact of the proposed development would be temporary with full removal of the development in the future.

22 The applicant also advised that the proposed solar farm would provide a number of benefits. These can be summarised as follows:

- the proposed solar farm will have the capacity to produce approximately 5 Megawatts (MW), or sufficient power to supply the needs of approximately 1,300 homes;
- the agricultural use of the land will be maintained and the proposed development will facilitate a sustainable form of agricultural diversification from arable farmland to renewable energy site with pasture through the management of the wildflower grassland through sheep grazing;
- there are opportunities to enhance the hedgerows and grassland around the margins of the field and potentially beneath the solar panels by sowing with native herbs and grasses. This would also improve the biodiversity of the site;
- the pioneering nature of the project would help establish the London Borough of Hillingdon as a centre of renewable energy activity, which in turn has potential for job creation (such as the manufacturing of component parts, distribution, installation and servicing of solar panels, management and operation).

23 The proponent is proposing to install an estimated 5MW of PV to produce green electricity that will be exported to the national electricity grid. Based on Part L emissions factors this is expected to displace 2,200 tonnes of carbon dioxide per year. By way of comparison in calendar year 2014, the energy outcomes secured from GLA referable applications resulted in the installation of around 82,000 sq.m. of solar PV panels or about 8MW of new electrical capacity. The increased production of energy from renewable sources is therefore welcomed from an energy perspective and would help deliver the Mayor's strategic policy 5.5 on decentralised energy generation and policy 5.7 on increasing renewable energy generation.

24 However, as this development is proposed on Green Belt land, it also needs to be assessed against the London Plan Green Belt policy. The proposed solar panels and ancillary structures would cover a large proportion of the site impacting negatively on the Green Belt's openness, permanence and character.

25 The applicant advised that the solar panels would be located and screened by existing trees and hedgerows, and that buildings would be limited to two inverter cabins, a temporary substation and metering building, in addition to ground mounted solar panels and ancillary structures. The applicant submitted a landscape and visual impact assessment which concludes that the majority of the users of local footpaths and road users and cyclists of the roads bounding the site would experience a moderate adverse effect during initial operation reducing to minor adverse effect over the operation period, with no change after decommissioning.

26 The applicant provided a number of landscaped photographs describing the landscape character and illustrating existing views in its landscape and visual assessment. However, in order to consider whether this mitigation is appropriate, further external visuals of the site are required from the applicant where the impact is likely to be the most significant before the application is referred back to the Mayor.

27 As currently presented, it is the GLA officers' view that the proposed development would impact negatively on the openness and character of the Green Belt and that the 'very special circumstances' put forward by the applicant do not currently outweigh the substantial harm caused to the Green Belt.

28 Furthermore, whilst the reasons for a 25 year permission are understood, given the considerable length of time, should planning permission be granted, planning conditions should be used to ensure that the installations are removed when no longer in use and the land is restored to its previous use as greenfield land.

### **Local planning authority's position**

29 The position of the local planning authority is unknown at this stage.

### **Legal considerations**

30 Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Council must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged, or direct the Council under Article 6 of the Order to refuse the application, or issue a direction under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application and any connected application.

31 There is no obligation at this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor's statement and comments.

### **Financial considerations**

32 There are no financial considerations at this stage.

### **Conclusion**

33 London Plan policies on Green Belt and climate change are relevant to this application. The application complies with some of these policies but not with others and on balance does not comply

with the London Plan; the reasons and potential remedies to issues of non-compliance are set out below:

- **Principle of development:** The proposal represents inappropriate development on Green belt land and is contrary to London Plan Policy 7.16. The production of energy from renewable sources could constitute a 'very special circumstances' argument and supports London Plan policies 5.5 and 5.7. However, further information should be provided by the applicant to demonstrate that the environmental benefits that the proposal will bring outweigh any harm to the openness of the Green Belt.

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