

**Land South of Holloway Lane/North of Harmondsworth  
Lane, Holloway Lane, Harmondsworth, UB7 0AE****in the London Borough of Hillingdon****planning application no.1354/APP/2015/4607****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**

Development for a solar farm for the 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 34 of this report; but that the possible remedies set out in that paragraph could address these deficiencies.

**Context**

1 On 7 January 2016, 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 17 February 2016 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 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 between Harmondsworth and Sipson. 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. To the west of the site is Harmondsworth Village. 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 hectare application site is square in shape, relatively flat and mostly screened by existing boundary vegetation. The site forms part of a larger landholding associated with the waste management operations located off Holloway Lane, adjacent to the eastern boundary of the site. The site is currently in agricultural use but was previously subject to mineral extraction followed by infilling with waste materials. The site has an agricultural land classification of a Grade 2 which is considered as Best and Most Versatile Agricultural Land. 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 the local generation of low carbon electricity for a period of 25 years. The proposed development comprises a solar installation that converts energy from sunlight into electricity for distribution to the Local Distribution Network. This process will use 13,800 photovoltaic (PV) panels and associated inverters and substations. The solar installation will be ground mounted and enclosed by a security fence.

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 has advised that the proposed solar farm would be designed to maintain setbacks from the site's boundaries, notably the western boundary and that the proposed site layout would comprise supplementary landscape planting along the southern boundary of the site to screen the solar arrays from Harmondsworth Lane and along the western boundary of the site to mitigate the view of the arrays from Holloway 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.

12 While operating as a solar farm, the land will be retained in agricultural use with the management of wildflower grassland through sheep grazing. After that the solar farm will be removed and the land returned to agricultural use.

## Case history

13 An application for a solar farm was referred to the Mayor on 24 September 2015. On 4 November the Mayor considered the GLA officers' report on this proposal (reference D&P/3781/01) and advised Hillingdon Council that he was unconvinced that the environmental benefits associated with the production of renewable energy outweighed the importance of the Green Belt. Whilst the GLA officers' report advised that the production of energy from renewable sources could constitute a 'very special circumstances' argument, further information, and in particular further external visuals of the site, was requested to assess the impact of the proposed solar farm on the Green Belt and the mitigations proposed by the applicant. The application was then withdrawn on 17 December 2015. It is understood that the application considered here is for the same proposal but includes further details on the proposed scheme.

14 Prior to this, 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 proposals 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 (Regulation 19 consultation on proposed changes).

## Principle of land use

18 The applicant has carried out a site selection analysis which concludes that the application site is considered to provide the most viable and sustainable option for a solar development given its distance from existing grid infrastructure, the land values and project viability, the low ecological value of the land and its visual exposure to neighbouring residential and commercial buildings.

19 As noted in paragraph 8 above, the application site lies within the 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 the Green Belt are assessed against national and London Plan policies, including the very special circumstances test.

20 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.

21 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)**

22 Given that the proposed site is designated as Green Belt land and in response to national policy, 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. As The VSCs advanced by the applicant can be summarised as follows:

- The development is for a temporary period of 25 years;
- It maintains the agricultural use of the site;
- The development is predominantly open in nature;
- It is contained in visual and landscape terms, well-screened and away from residential properties. The development comprises low level solar panels that maintain the openness of the Green Belt and will have no material impact on the landscape and local views;
- It presents a number of key environmental enhancements relating to the site;
- It is a sustainable development by achieving renewable energy and climate change objectives;
- It is consistent with the objectives of the Green Belt.

23 The applicant also advised that the proposed solar farm would provide a number of benefits, which the applicant states are part of the very special circumstances. These can be summarised as follows:

- The development preserves the long-term agricultural potential of the land;
- The development does not contain any buildings, with the exception of a small temporary DNO station and temporary private switchgear station;
- The proposals include new native landscape planting and grassland that will enhance the landscape structure, the ecological value and biodiversity across the site;

- The development may generate green electricity sufficient to meet the energy needs of approximately 1,300 homes each year;
- The development will contribute significantly to helping the borough meet its need for the development of sustainable and renewable energy generation and meeting this need is a national priority. The need is supported by local and national planning policy;
- The proposals reduce greenhouse gas emissions and the low carbon technologies will help contribute to the Government's overall objectives of tackling climate change;
- The proposed development will contribute positively to the local area and the local economy, primarily in terms of local investment and employment, and will represent an educational opportunity for local schools, community groups and the public.

24 As mentioned above, the applicant is proposing to install approximately 5MW of PV to produce renewable electricity that will be exported to the national electricity grid. Based on Part L 2013 emissions factors this is expected to save in excess of 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. As this was the case for the application submitted in September 2015, the increased production of energy from renewable sources is 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.

25 However, as this development is proposed on Green Belt land, as per the previous application, it also needs to be assessed against the London Plan Green Belt policy. When the Mayor considered this previously, it was considered that as the proposed solar panels and ancillary structures would cover a large proportion of the site, this would impact negatively on the Green Belt's openness, permanence and character.

26 As before, the applicant has submitted a landscape and visual assessment which advises that the retention of the mature established hedgerow boundaries would retain the character of the area, providing screening of the site and changes made to the groundcover vegetation. The reinforcement of the field boundary hedge to the west of the site as part of the mitigation strategy would also help strengthen the field pattern and provide habitat connectivity. It also advised that visual intrusion would be limited to a small number of near views of the site, in particular the view from the southwest corner of the site off Harmondsworth Lane for the users of the local footpaths and roads.

27 As before, the applicant has 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, as was requested for the previous application, 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.

28 As there has been no change in circumstances since the original application was submitted or additional information provided on the issue raised above, and noting the recent dismissals by Government of solar farm appeals in the Green Belt or on high grade agricultural land, the GLA officers' view remain unchanged i.e. the proposed development would impact negatively on the openness and character of the Green Belt and the 'very special circumstances' put forward by the applicant do not currently outweigh the substantial harm caused to the Green Belt.

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

30 Finally, noting the proximity to Heathrow Airport, the Council, in consultation with NATS, should be satisfied that the glint and glare caused by the proposed solar farm would not represent an aviation hazard. Evidence of correspondence with NATS should be shared with the GLA.

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

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

## **Legal considerations**

32 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. 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**

33 There are no financial considerations at this stage.

## **Conclusion**

34 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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For further information, contact the GLA Planning Unit (Development and Projects team):

**Colin Wilson, Senior Manager – Development & Projects**

020 7983 4783 email [colin.wilson@london.gov.uk](mailto:colin.wilson@london.gov.uk)

**Justin Carr, Strategic Planning Manager (Development Decisions)**

020 7983 4895 email [justin.carr@london.gov.uk](mailto:justin.carr@london.gov.uk)

**Hermine Sanson, Case Officer**

020 7983 4290 email [Hermine.sanson@london.gov.uk](mailto:Hermine.sanson@london.gov.uk)

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