

Report of the Head of Planning, Sport and Green Spaces

Address LAND ADJACENT TO SIPSON ROAD IN HOLLOWAY LANE
HARMONDSWORTH

Development: Use of land as a solar farm, involving site restoration, including importation of 65,000 cubic metres of inert waste, landscaping and planting; the laying out of 576 solar arrays in 34 rows, with associated ancillary structures, (including transformers, substation, inverters, CCTV masts, boundary fencing and maintenance track) and connections to the electricity grid.

LBH Ref Nos: 46223/APP/2014/1867

Drawing Nos: Glint and Glare Assessment
Site Investigation 1
Extended Phase 1 Survey
Amphibian Survey
Air Quality Assessment
Flood Risk Assessment
Preliminary Drainage Strategy
Design and Access Statement
Energy & Sustainability Statement
Geo-Environmental Site Assessment Appendices III
Geo-Environmental Site Assessment Appendices IV
Geo-Environmental Site Assessment Appendices I&II
JTS_7832_100
JTS_7832_101
Planning Statement Appendices
Planning Statement
Phase I Geo-Environmental Site Assessment
SIP - 001
SIP - 002
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SIP - 010
Arboricultural Report
Landscape and Visual Impact Assessment
Landscape Management Plan
Photoviews Rev B
Photoview Location Plan
Statement of Community Involvement
Transport Statement

Date Plans Received: 30/05/2014 **Date(s) of Amendment(s):** 30/05/2014
Date Application Valid: 02/06/2014

1. SUMMARY

Planning permission is sought for a proposed solar farm, with associated access tracks, inverters, maintenance building, fencing and infrared cameras on Green Belt land to the south of the the M4 motorway and north of Holloway Lane.

The proposal will require the importation of approximately 65,000 cubic metres of inert material for localised levelling, to accommodate the installation of rows of solar panels, together with the required transformers, inverters and sub-station. The upper edge of the majority of the panels will be 2.4m above ground level with some stands being 3.7 meters above ground level on the northern boundary. 8 metre wide strips of land between the solar arrays would be left as grassland, developed as wild flower meadows.

The proposal does not conform to the types of development allowed by national, London Plan and Local Plan policies and as such, constitutes inappropriate development in the Green Belt, requiring very special circumstances to justify the proposal. The applicant has submitted that the harm to the openness of the Green Belt is limited to the site itself as opposed to the surrounding area. Secondly, the applicant has specified that the impact of the proposed development would be temporary, with full removal of the development in the future and that the character of the site would be improved as the result of the proposed ground improvement and planting works. Thirdly the applicant believes that the wider benefits associated with the increased production of energy from renewable sources is a very special circumstances argument.

However, an extensive area of land would be covered by straight rows of above ground coloured panels and their supporting framework, which would represent a major change, forming an extensive and incongruous feature, which would detract significantly from the rural character of the landscape. The design and siting of the proposed solar arrays and the associated structures would give the area a suburban / industrial appearance and would intrude into the undeveloped landform, resulting in harm to the openness and purposes of the Green Belt at this location.

No very special circumstances have been provided by the applicant or are evident, which overcome the presumption against inappropriate development in the Green Belt or demonstrate that the benefits that the proposed solar farm will deliver outweigh the harm caused to the Green Belt. It is therefore recommended that planning permission be refused for this reason.

2. RECOMMENDATION

1. That the application be referred back to the Greater London Authority.

2. That should the Mayor not direct the Council under Article 6 to refuse the application, or issue a direction under Article 7 that he is to act as the Local Planning Authority for the purposes of determining the application, delegated powers be given to the Head of Planning, Green Spaces and Culture to refuse planning permission for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed development represents inappropriate development within the Green Belt and no very special circumstances have been provided or are evident which either singularly or cumulatively overcome the presumption against inappropriate development in the Green Belt. The proposal is therefore contrary to the aims of Policy OL1 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012), Policy 7.16 of the London Plan (2011) and the NPPF.

2 NON2 Non Standard reason for refusal

The proposed development, by reason of the siting, overall size, bulk and height of the proposed buildings, the associated infrastructure and the increased intensity of use would prejudice the openness of the Green Belt, resulting in an unacceptable degree of urbanisation. The proposal is therefore contrary to Policy OL1 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) Policy 7.16 of the London Plan(2011) and the NPPF.

INFORMATIVES

1 I52 Compulsory Informative (1)

The decision to REFUSE planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

2 I53 Compulsory Informative (2)

The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

AM14	New development and car parking standards.
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
BE13	New development must harmonise with the existing street scene.
BE35	Major development proposals adjacent to or visible from major road and rail connections to Heathrow and central London
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
EC1	Protection of sites of special scientific interest, nature conservation importance and nature reserves Replaced by PT1.EM7 (2012)
EC2	Nature conservation considerations and ecological assessments
EC5	Retention of ecological features and creation of new habitats
MIN8	Restoration of land south of the A4020 Uxbridge Road
MIN23	Schemes for mineral extraction, mineral processing, landfill, waste handling or treatment adjacent to noise-sensitive locations - noise monitoring and control requirements
MIN10	Restoration and after-use of sand and gravel workings in the Colne Valley
MIN11	After-use of mineral sites - landscaping and screening
MIN16	Waste recycling and disposal - encouragement of efficient and environmentally acceptable facilities
OE1	Protection of the character and amenities of surrounding properties and the local area
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
OL1	Green Belt - acceptable open land uses and restrictions on new development

OL2	Green Belt -landscaping improvements
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
LPP 5.1	(2011) Climate Change Mitigation
LPP 5.10	(2011) Urban Greening
LPP 5.12	(2011) Flood risk management
LPP 5.13	(2011) Sustainable drainage
LPP 5.18	(2011) Construction, excavation and demolition waste
LPP 5.21	(2011) Contaminated land
LPP 5.7	(2011) Renewable energy
LPP 7.16	(2011) Green Belt
LPP 7.19	(2011) Biodiversity and access to nature
NPPF	National Planning Policy Framework

3. CONSIDERATIONS

3.1 Site and Locality

The site is generally rectangular in shape with principal boundaries with the M4 motorway to the north and Holloway Lane to the south. Harmondsworth Road bridge spans the M4 to the north-west of the site and Harmondsworth Road runs along the west boundary. A coach depot occupies the triangle of land between Sipson Road, Holloway Lane and the motorway to the east. A garden centre, quarry and agricultural land lie to the south across Holloway Lane and a petrol filling station, and commercial units, to the west, across Harmondsworth Road. Generally, the land to south of the M4 motorway, and to the north of Heathrow Airport is open in character and comprises agricultural fields and existing and former mineral extraction/landfill sites.

The site is approximately 12.83ha (14 acres) in extent and comprises relatively flat land, with is a gentle fall from north to south and localised depressions, with planted bunds along the east, west and south boundaries.

Existing structures on the site include an aerial mast in the middle of the field, a gas transfer station in the north-east corner of the site and Costain's storage yard in the south-east corner. Vehicular access to the site is from Sipson Road, to the east of the site.

Boundaries are delineated by secure galvanized palisade fencing on the east boundary and motorway fencing / planting on the north boundary. Fencing of the south and west boundaries consists of poor quality and unsightly galvanized chainlink. Off-site tree screening on the motorway embankment along the north boundary is well established. On-site trees and shrubby vegetation are found on the west boundary and along the southern edge of the site (Holloway Lane). This vegetation is somewhat stunted in character and appearance. Trees on the site are not protected by TPO or Conservation Area designation.

3.2 Proposed Scheme

Planning permission is sought for a proposed solar farm, with associated access tracks, inverters, maintenance building, fencing and infrared cameras. The site will be subject to localised levelling to accommodate rows of PV stands. The construction phase involves infilling depressions requiring the importation of approximately 65,000 cubic metres of inert material, including topsoil and the creation of haul routes using geo-textile

membranes. This work will take approximately four months.

The next phase lasting two to three months will involve the installation of rows of solar panels, together with the required transformers, inverters and sub-station. The solar panels will be arranged on racks that are secured to the ground by driven posts. The panels will be set at an angle of 20 degrees, with the lower edge approximately 0.8m off the ground, and the upper edge of the majority some 2.4m above ground level. However, some '4-panel' stands will be 3.7 meters above ground level on northern boundary.

A cabin is proposed near the site entrance off Sipson Road. 4 inverter buildings are proposed along the northern boundary. The Inverters will be 6 metres long x 3 metres high. Other ancillary structures include CCTV masts required for security purposes, new boundary fencing and an electricity sub-station, to be located adjacent to the entrance from Sipson Road.

The 8 metre wide strips of land between the solar arrays are to be left as grassland, developed as wild flower meadows. Subject to a soil survey and detailed management plans, the central area could be mown or grazed.

The installation of the solar arrays will use 'no dig' construction techniques. Haul roads will also avoid excavation, using permeable geotextile sheets, to limit their permanent effect on the landscape.

The 8 Megawatts (power generated) will link into the grid via the motorway supplies to the north, the sub-station in Sipson Road (south of the Holiday Inn), or the sub-station near the garage in Harmondsworth Lane / junction of Holloway Lane.

Existing boundary trees will be retained and re-enforced with additional planting on external slopes. Bunds along southern boundary may be increased in height to aid screening.

The planning application is supported by a range of reports, as listed below:

1. Design and Access Statement
2. Planning Statement
3. Extended Phase 1 Habitat Survey
4. Amphibian Survey
5. Arboricultural Report (incorporating Tree Survey and Arboricultural Implications Assessment)
6. Landscape and Woodland Management Plan
7. Landscape and Visual Impact Assessment
8. Phase 1 Geo-Environmental Site Assessment
9. Geo-Environmental Site Investigation
10. Air Quality Assessment
11. Glint and Glare Assessment
12. Transport Statement
13. Statement of Community Involvement

EIA Screening Opinion

The applicant formally sought advice in relation to the need for an Environmental Impact Assessment (EIA). The Council issued its response on 24th January 2014. It concluded that the proposal is unlikely to have a significant environmental impact and, therefore, that an EIA would not be needed.

3.3 Relevant Planning History

46223/APP/2013/2899 Land Adjacent To Sipson Road In Holloway Lane Harmondsworth

Use of part of the site fronting Sipson Road, for a period of 18 months, as a construction compound and training facility in conjunction with the rebuilding of the structural supports for the A4 Hammersmith Flyover.

Decision: 28-11-2013 Approved

Comment on Relevant Planning History

· The site comprises former agricultural land, which was used for gravel extraction until the late 1960's. It was then land filled in the early 1970s by the then Greater London Council and restored in 1971/72. The capping layer has subsided at a differential rate, leaving a large field with hummocky, undulating levels. It is currently used for horse grazing.

· Temporary planning permission 46223/APP/2013/2899 was granted on 04/12/2013 to use part of the site as a construction compound and training facility for a temporary period of 18 months.

4. Planning Policies and Standards

Planning Practice Guidance for Renewable and Low Carbon Energy (July 2013 Department for Communities and Local Government)

This guidance provides advice on the planning issues associated with the development of renewable energy. It will be kept under review and should be read alongside other planning practice guidance and the National Planning Policy Framework. The guidance states that in shaping local criteria for inclusion in Local Plans and considering planning applications in the meantime, it is important to be clear that:

- the need for renewable or low carbon energy does not automatically override environmental protections
- cumulative impacts require particular attention, especially the increasing impact that wind turbines and large scale solar farms can have on landscape and local amenity as the number of turbines and solar arrays in an area increases
- local topography is an important factor in assessing whether wind turbines and large scale solar farms could have a damaging effect on landscape and recognise that the impact can be as great in predominately flat landscapes as in hilly or mountainous areas
- great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting
- proposals in National Parks and Areas of Outstanding Natural Beauty, and in areas close to them where there could be an adverse impact on the protected area, will need careful consideration
- protecting local amenity is an important consideration which should be given proper weight in planning decisions. Paragraph 26 of the above mentioned guidance states: "The deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in very undulating landscapes. However, the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively". Paragraph 27 of the above mentioned guidance states: "Particular factors a local planning authority will need to consider include:
 - encouraging the effective use of previously developed land, and if a proposal does involve greenfield land, that it allows for continued agricultural use and/or encourages

biodiversity improvements around arrays

- that solar farms are normally temporary structures and planning conditions can be used to ensure that the installations are removed when no longer in use and the land is restored to its previous use
- the effect on landscape of glint and glare and on neighbouring uses and aircraft safety
- the extent to which there may be additional impacts if solar arrays follow the daily movement of the sun
- the need for, and impact of, security measures such as lights and fencing
- great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting. As the significance of a heritage asset derives not only from its physical presence, but also from its setting, careful consideration should be given to the impact of large scale solar farms on such assets. Depending on their scale, design and prominence, a large scale solar farm within the setting of a heritage asset may cause substantial harm to the significance of the asset
- the potential to mitigate landscape and visual impacts through, for example, screening with native hedges
- the energy generating potential, which can vary for a number of reasons including, latitude and aspect.

Paragraph 28 of the above mentioned guidance states: "The approach to assessing cumulative landscape and visual impact of large scale solar farms is likely to be the same as assessing the impact of wind turbines. However, in the case of ground-mounted solar panels, it should be noted that with effective screening and appropriate land topography, the area of a zone of visual influence could be zero".

UDP / LDF Designation and London Plan

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

- PT1.BE1 (2012) Built Environment
- PT1.EM1 (2012) Climate Change Adaptation and Mitigation
- PT1.EM11 (2012) Sustainable Waste Management
- PT1.EM2 (2012) Green Belt, Metropolitan Open Land and Green Chains
- PT1.EM6 (2012) Flood Risk Management
- PT1.EM7 (2012) Biodiversity and Geological Conservation
- PT1.EM8 (2012) Land, Water, Air and Noise

Part 2 Policies:

- AM14 New development and car parking standards.
- AM2 Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
- AM7 Consideration of traffic generated by proposed developments.
- BE13 New development must harmonise with the existing street scene.
- BE35 Major development proposals adjacent to or visible from major road and rail connections to Heathrow and central London

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5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **1st July 2014**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

35 adjoining owner/occupiers have been consulted. The application has been advertised as a departure from the development plan. Two letters of support from a local residents have been received. The contents are summarised below:

1. Development is great, can't happen soon enough
2. Great use to repair the land and make use with renewable energy.

BRITISH AIRPORTS AUTHORITY

No objection, subject to the following conditions and informatives:

Submission of Landscaping Scheme - England

No development shall take place until full details of soft and water landscaping works have been submitted to and approved in writing by the Local Planning Authority, details must comply with Advice Note 3, 'Potential Bird Hazards from Amenity Landscaping & Building Design' available at [www.aoa.org.uk/operations & safety/safeguarding. asp](http://www.aoa.org.uk/operations%20&%20safety/safeguarding.asp)). These details shall include:

- the species, number and spacing of trees and shrubs. No subsequent alterations to the approved landscaping scheme are to take place unless submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved. Reason: To avoid endangering the safe movement of aircraft and the operation of Heathrow Airport through the attraction of Birds and an increase in the bird hazard risk of the application site.

Information

Stands of trees with the potential to provide canopy's for bird species such as Rooks, Crows should be planted at 4 metre centres or greater. Tree species such as Oak (*Quercus sp.*, Scots Pine (*Pinus Sylvestris*), and Beech (*Fagus Sylvatica*) should be excluded from the planting scheme. Large quantities of berry bearing species should be avoided. If they are essential to the integrity of the proposed planting scheme, low numbers of berry bearing plants may be dispersed amongst other non berry species to reduce the total food supply for birds. In this location, berry bearing species should be kept below 5% of the total planting palette.

We would also make the following observation:

Cranes

Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at [http://www.aoa.org.uk/operation & safety/safeguarding.htm](http://www.aoa.org.uk/operation%20&%20safety/safeguarding.htm))

We therefore have no aerodrome safeguarding objection to this proposal, provided that the above condition/s is/are applied to any planning permission. It is important that any conditions requested in this response are applied to a planning approval. Where a Planning Authority proposes to grant permission against the advice of Heathrow Airport Ltd, or not to attach conditions which Heathrow Airport Ltd has advised, it shall notify Heathrow Airport Ltd, and the Civil Aviation Authority as specified in the Town & Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosive Storage Areas) Direction 2002.

NATURAL ENGLAND

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

The Wildlife and Countryside Act 1981 (as amended)

The Conservation of Habitats and Species Regulations 2010 (as amended)

Natural England's comments in relation to this application are provided in the following sections.

Statutory nature conservation sites - no objection

This application is in close proximity to the Staines Moor Site of Special Scientific Interest (SSSI). This SSSI forms part of the South West London Waterbodies Wetland of International Importance under the Ramsar Convention (Ramsar Site) and Special Protection Area (SPA).

Natural England advises your authority that the proposal, if undertaken in strict accordance with the details submitted, is not likely to have a significant effect on the interest features for which South West London Waterbodies has been classified. Natural England therefore advises that your Authority is not required to undertake an Appropriate Assessment to assess the implications of this proposal on the site's conservation objectives.

In addition, Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the Staines Moor SSSI has been notified. We therefore advise your authority that this SSSI does not represent a constraint in determining this application. Should the details of this application change, Natural England draws your attention to Section 28(1) of the Wildlife and Countryside Act 1981 (as amended), requiring your authority to re-consult Natural England.

Protected species

We have not assessed this application and associated documents for impacts on protected species. Natural England has published Standing Advice on protected species. The Standing Advice includes a habitat decision tree which provides advice to planners on deciding if there is a 'reasonable likelihood' of protected species being present. It also provides detailed advice on the protected species most often affected by development, including flow charts for individual species to enable an assessment to be made of a protected species survey and mitigation strategy. You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation. The Standing Advice should not be treated as giving any indication or providing any assurance in respect of European Protected Species (EPS) that the proposed development is unlikely to affect the EPS present on the site; nor should it be interpreted as meaning that Natural England has reached any views as to whether a licence is needed (which is the developer's responsibility) or may be granted. If you have any specific questions on aspects that are not covered by our Standing Advice for European Protected Species, or have difficulty in applying it to this application, please contact us with details at consultations@naturalengland.org.uk.

Solar Parks - Further information

For additional information relating to Solar Parks please refer to the Technical Information Note at the link below, which provides a summary of advice about their siting, their potential impacts and mitigation requirements for the safeguarding of the natural environment.

Solar parks: maximising environmental benefits (TIN101) and recent industry publication on biodiversity enhancements for solar farms BRE National Solar Centre Biodiversity Guidance for Solar Developments and recent industry publication on biodiversity enhancements for solar farms BRE National Solar Centre Biodiversity Guidance for Solar Developments.

Local sites

If the proposal site is on or adjacent to a local site, e.g. Local Wildlife Site, Regionally Important Geological/Geomorphological Site (RIGS) or Local Nature Reserve (LNR) the authority should ensure it has sufficient information to fully understand the impact of the proposal on the local site before it determines the application.

Impact Risk Zones for Sites of Special Scientific Interest

Natural England has recently published a set of mapped Impact Risk Zones (IRZs) for Sites of Special Scientific Interest (SSSIs). This helpful GIS tool can be used by LPAs and developers to consider whether a proposed development is likely to affect a SSSI and determine whether they will need to consult Natural England to seek advice on the nature of any potential SSSI impacts and how they might be avoided or mitigated. Further information and guidance on how to access and use the IRZs is available on the Natural England website. Biodiversity enhancements. This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the National Planning Policy Framework. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006), which states that 'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. Section 40(3) of the same Act also states that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'.

Landscape enhancements

This application may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community, for example through green space provision and access to and contact with nature. Landscape characterisation and townscape assessments, and associated sensitivity and capacity assessments provide tools for planners and developers to consider new development and ensure that it makes a positive contribution in terms of design, form and location, to the character and functions of the landscape and avoids any unacceptable impacts.

GREATER LONDON AUTHORITY

After considering the report, the Mayor was not convinced that the environmental benefits associated with the production of renewable energy outweighed the importance of the Green Belt. Notwithstanding the content of the attached report, the Mayor therefore considers that the application does not comply with the London Plan.

If your Council subsequently resolves to make a draft decision on the application, it must consult the Mayor again under Article 5 of the Order and allow him fourteen days to decide whether to allow the draft decision to proceed unchanged, or direct the Council under Article 6 to refuse the application, or issue a direction under Article 7 that he is to act as the local planning authority for the purpose of determining the application and any connected application. You should therefore send me a copy of any representations made in respect of the application, and a copy of any officer's report, together with a statement of the decision your authority proposes to make, and (if it proposed to grant permission) a statement of any conditions the authority proposes to impose and a draft of any planning obligation it proposes to enter into and details of any proposed planning contribution.

GLA Stage 1 Report (Summary)

London Plan policies on Green Belt, energy, waste, biodiversity and transport 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 the resultant harm to the Green Belt.

- Waste: The importation of inert waste does not raise any strategic issues. However, the form of the waste material used and its provenance should be confirmed by the applicant.

- Biodiversity: The proposal encourages biodiversity improvements and is supported by London Plan policy 7.19. Should planning permission be granted, a more detailed ecological survey should be provided and the proposed biodiversity enhancement measures should be secured by condition.

- Transport: The proposal is broadly supported. However, the impact of the daily HGV movement during the construction period should be monitored should the planning permission be granted and a Construction Logistics Plan (CLP) should be submitted by the applicant for the Council's approval.

TRANSPORT FOR LONDON (TfL)

The following comments are made by Transport for London officers on a 'without prejudice' basis only. You should not interpret them as indicating any subsequent Mayoral decision on any planning application based on the proposed scheme.

To the south and west, the site borders Holloway Lane and Harmondsworth Road respectively. The development site is 1.8km north of the nearest section of the Transport for London Road Network (TLRN) at the A4, Bath Road. The northern boundary of the site is adjacent to the M4 motorway. Sipson Road forms the eastern boundary of the site, from where the vehicular access will also be taken, is a cul de sac which is shared with a National Express coach park.

The site is served by the 222 bus which can be accessed from Sipson Road, 300m metres to the south east of the site. The nearest station, Heathrow Terminals 1 to 3 are located over 2.5 kilometres away. Therefore, the Public Transport Accessibility Level (PTAL) for this location is 1b (poor) on a scale where 6 is the most accessible for public transport. TfL accepts that once operational, the proposed development will have a minimal impact on the highway or public transport networks. However, TfL notes that the submitted transport statement predicts 40 daily HGV movements during the 7 month construction period and on that basis, TfL recommends that the applicant submits a Construction Logistics Plan (CLP) for the council's approval in consultation with TfL. The latest TfL guidance on the content of CLPs can be found here: <https://www.tfl.gov.uk/info-for/freight/planning/construction-logistics-plans>.

External Consultees (Additional)

ENVIRONMENT AGENCY

As the proposed development will also require an environmental permit from us, I have included relevant comments below. We will require further information from the applicant to determine which permit will be required and whether it is likely to be acceptable. The applicant should note that the decision to grant a permit will be made irrespective of whether or not planning permission is granted.

Planning Conditions

We consider that planning permission could be granted to the proposed development as submitted if the following planning condition is included as set out below. Without these conditions, the proposed development on this site poses an unacceptable risk to the environment and we would object to the application.

Condition 1

No infiltration of surface water drainage into the ground at the site is permitted. The development shall not commence until such time as a scheme to collect and dispose of surface water at ground level has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented as approved.

Reasons

The site is located on historic landfill containing hazardous substances which pose significant risk to the groundwater receptors. Installation of soakaways or the use of infiltration techniques could create pathways for new contamination or mobilise existing contamination within the site. To prevent future deterioration or further contamination of groundwater, no infiltration will be considered acceptable in such a sensitive area.

National Planning Policy Framework paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels water pollution.

Condition 2

No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

1) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason

The site is located on a principal aquifer and in close proximity to two groundwater abstraction points. The first is immediately to the south of Holloway Lane, the second is to the west of the site and both are licensed to Holloway Farm, Harmondsworth. This condition is required to ensure the protection of controlled waters. The submitted Phase 1 report identifies groundwater and nearby abstractions as potential receptors but categorises them as low risk. The Phase 2 report does not assess risks to controlled waters so we are unable to provide detailed comments on this report and we do not agree with this approach. As materials are being imported to site their placement over an existing landfill can cause movement of contamination within the historic landfill (leachate for example). We do not know if the site is impacting groundwater or if leachate is present so further assessment is needed in this respect.

Condition 3

No occupation shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reasons

To ensure protection of controlled waters.

Environmental Permitting

The proposed landfill site will require an Environmental Permit under Schedule 10 of the Environmental Permitting Regulations 2010. We do not currently have enough information to know if the proposed development can meet our requirements to prevent, minimise and/or control pollution and we have concerns that these requirements might not be met through the current planning application. The applicant is advised to contact Rob Devonshire on 01707 632473 to discuss the permitting issues likely to be raised.

The proposed development

1) is located on a principal aquifer. We will therefore need to consider the location of the proposed development in regard to the protection of groundwater in more detail. A hydrogeological risk assessment must demonstrate that active long-term site management is not needed to prevent groundwater pollution.

2) is located in close proximity to abstraction points likely to be used for irrigation purposes. A hydrogeological risk assessment must demonstrate that active long term site management is not needed to prevent groundwater pollution. We will also need to consider whether surface run off can be satisfactorily managed to avoid contamination.

We have concerns that the topography of the site with proposed restoration levels will not minimise the quantity of waste for the development, and is therefore unlikely to meet the requirements for a recovery activity.

This site is a former landfill therefore redevelopment using site derived materials may pose a risk to the environment. However, where this material can be demonstrated as suitable for use (i.e. clay capping) this should be used and could minimise or negate the need for any import of waste.

Section 6 of the planning statement states that the imported material will consist of approximately 65,000 m³ of inert material including topsoil. Topsoil is not considered an inert material, which makes this statement contradictory and consequently we are unable to determine exactly which permits are required. When we receive an Environmental Permit application, based on the information provided, we may conclude this is a disposal activity. If this is the case, the applicant would need to apply for a landfill permit to complete the development to the levels identified in the planning application, or revise the design to a much lower level. As landfill is a waste disposal operation it must comply with the requirements of the Landfill Directive.

Additional 'Environmental Permitting Guidance' can be accessed via the <http://www.gov.uk/> website.

We advise joint discussions with the applicant, planning authority and ourselves, as well as parallel tracking of the planning and permit applications to avoid the potential need for amendments to the planning application post-permission.

In order to assess the risks identified above, the following additional information will be required:

I. Hydrogeological risk assessment based on the nature and quantity of the waste and the natural setting and properties of the location.

Additional information on permitting

Further guidance and advice can be found in our Groundwater Protection: Principles and Practice document and our technical guidance document H1 on hydrogeological risk assessments for landfills and the derivation of groundwater control and compliance limits.

HARMONDSWORTH AND SIPSON RESIDENTS ASSOCIATION

As stated in the documentation provided by Costain's, our association was consulted as were the residents of both villages. Costain's would appear to be mindful of our environmental concerns and the potential benefits they could offer by supporting other solar projects already in the villages, improving the visual appearance of the site boundaries and addressing the unsafe road crossings in the vicinity of their access point to the site. In the construction phase there will be greatly increased vehicle movements to and from the site which would involve HGVs negotiating a difficult right turn from the Holloway Lane approach (via M4). Costain's representatives have been made aware that this access point is hazardous for pedestrians and cyclists.

HEATHROW VILLAGES CONSERVATION AREA ADVISORY PANEL

Although we regret the present poor state of this Green Belt site due to inadequate remediation following gravel extraction, we are prepared to see the site used for a solar farm for the limited period proposed, as it will then be in a better state and suitable for return to agricultural or recreational use. We are however dismayed that the landowners are not including the whole of the area between Sipson Road and Harmondsworth Road in the scheme, reserving the area to the east, between Sipson Road and the site of the present proposal, that is currently in use as a works compound. This will allow them to continue to request intermittent permission to use this smaller area in this way, which is at odds with its Green Belt status.

Internal Consultees

FLOOD AND DRAINAGE OFFICER

The application proposes to control surface water on site through the provision of a cut of swale before the boundary of the site on the south side, which is in principle acceptable. However the applicants propose to discharge from this swale into the nearby Highway drainage along Holloway Lane. There is no survey or information on the capacity of this drainage or current condition to demonstrate its ability to accept any further discharge from the site or that it will not exacerbate further surface water ponding issues along Holloway Lane to the north under the M4. It was stated in the Flood Risk Assessment prior to discharge into any Thames Water sewers the capacity would be investigated, and this would be expected of any proposed discharge to Highway drainage. A detailed survey by the applicant must be undertaken before this proposal would be considered, unfortunately as discussed with the applicant previously the Council does not currently hold an upto date drainage survey of this area.

ENVIRONMENTAL PROTECTION UNIT

AIR QUALITY: I have no specific objections to the proposed development with regard to air quality. An Air Quality Assessment by REC for Costains Engineering Ltd dated 28 February 2014 was submitted in relation to the above application. It broadly assessed both the construction and operation impacts on air quality. It should be noted the construction impacts largely related to dust from site from construction and not the construction vehicles movements to and from the site. Based on the Transport Statement this would be at worst an additional 80 vehicle movement a day for 7 months in relation to the importation of inert wastes to the site.

It is assumed it was scoped out because it was under 200 DV movements in relation to the development. The Transport Statement also indicates the HDV route from the M4 to the site will not use residential streets. The air quality in the vicinity of the site is very poor due to high NO2 and could be made a little worse for a short period due the vehicle movements associated with the importation of materials. It would be preferable, that onsite plant be zero or low emission as far as practicable. Traffic contribution was scoped out for the operational phase of the development, with vehicle movements being anticipated to be about 1 per fortnight for security purposes. The DEFRA

modelled background used for the site probably slightly underestimates the background in the area for NO2. It appears the air quality impacts for the operational phase is negligible as stated in the assessment.

LAND CONTAMINATION: The following documents were submitted:

1. Geoenvironmental Site Investigation by REC Consultants dated 25 April 2014 (draft)
2. Phase 1 Geo-Environmental assessment by REC Consultants dated May 2014 (final).
3. Letter from Environment Agency to JTS Partnership dated 10 January 2014

The above reports are acceptable but we would be looking for some further investigation on the rest of the site beyond the bund. The standard condition OM30 should be applied to any permission. The desk study we have received would meet part (a) of the condition and the site investigation on the bund would meet the site investigation part of the condition numbered (b) for the bund area. I would add the import condition so we can obtain testing results on the soil used to fill the voids, some will be import and some from the bund. My main points are -
Some further investigation across the landfill should be undertaken. Some gas monitoring should be included in the site investigation given the proposed capping and lack of recent information. With the proposed tipping of soils into the voids some groundwater monitoring appears necessary to satisfy the Agency. The tipping requires a permit from the Agency.

Condition COM30

(i) The development hereby permitted shall not commence until a scheme to deal with contamination has been submitted in accordance with the Supplementary Planning Guidance Document on Land Contamination and approved by the Local Planning Authority (LPA). The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:

(a) A desk-top study carried out by a competent person to characterise the site and provide information on the history of the site/surrounding area and to identify and evaluate all potential sources of contamination and impacts on land and water and all other identified receptors relevant to the site;

(b) A site investigation, including where relevant soil, soil gas, surface and groundwater sampling, together with the results of analysis and risk assessment shall be carried out by a suitably qualified and accredited consultant/contractor. The report should also clearly identify all risks, limitations and recommendations for remedial measures to make the site suitable for the proposed use; and

(c) A written method statement providing details of the remediation scheme and how the completion of the remedial works will be verified shall be agreed in writing with the LPA prior to commencement, along with details of a watching brief to address undiscovered contamination.

(ii) If during development works contamination not addressed in the submitted remediation scheme is identified, the updated watching brief shall be submitted and an addendum to the remediation scheme shall be agreed with the LPA prior to implementation; and

(iii) All works which form part of the remediation scheme shall be completed and a comprehensive verification report shall be submitted to the Council's Environmental Protection Unit before any part of the development is occupied or brought into use unless the LPA dispenses with any such requirement specifically and in writing.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy OE11 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

Import Condition

All soils used for levelling the landfill and landscaping purposes shall be clean and free of contamination. Site derived soils from the bund and imported soils shall be inspected and

tested for chemical contamination, and the results of this testing shall be submitted to and approved by the Local Planning Authority.

Note: The Environmental Protection Unit (EPU) must be consulted for their advice when using this condition.

REASON: To ensure that the users of the development are not subject to any risks from soil contamination in accordance with policy OE11 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

ACCESS OFFICER

There are no accessibility issues associated with this application.

TREE AND LANDSCAPE OFFICER

LANDSCAPE CONSIDERATIONS: Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is

appropriate. Saved policy OL1 and 2, and the National Planning Policy Framework seek to restrict inappropriate development and retain the openness, character and appearance of the Green Belt.

- No trees or other landscape features of merit will be affected by the proposal.
- The Design & Access Statement describes the site and design process.
- In section 3 it confirms that the aim is to create a solar farm with an output of 6.2 MWp, generating enough energy to power approximately 1,850 homes.
- Landscape enhancement will include extensive areas of trees, shrubs and hedges along the boundaries. As part of a the landscape management plan the meadows will be grazed by sheep and used to accommodate beehives in association with the British Beekeepers Association.
- Landscaping is addressed in section 3.15-3.24. As part of the enabling work topsoil will be stripped and stored, prior to backfilling of the settled areas / hollows with imported inert material and re-topsoiling to provide a more, even gradient across the site.
- The main landscape objectives are set out in 3.20
- Table 3.39 provides a review and summary of the Design solution.
- Wardell Armstrong's Landscape and Visual Impact Assessment, dated May 2014, together with Photoviews 1a -8b, consider the likely visual impacts on the landscape character, public highways, public rights of way, residential properties and recreational facilities. Predictably the adverse impacts will be most evident during the construction / installation phase. As the planting establishes the residual impact on the local landscape character would be negligible- slight beneficial.
- Wardell Armstrong's Arboricultural Report, dated May 2014 assesses the quality and value of 6 No. individual trees and 8No. groups of trees across the site.
- The landscape proposals are supported by Wardell Armstrong's Landscape Management Plan, dated May 2014.
- An Extended Phase 1 Habitat Survey, by REC, concludes, at 5.3, that the proposed development is mostly impacting on habitats with low quality value and that (5.5) the development includes opportunities for the enhancement of wildlife habitats.
- An Amphibian Survey, by REC, concludes that there are no records of great crested newts on the site, following four surveys. It also notes (4.0) that a new / replacement water body is to be provided - and that Natural England should be consulted in the event that great crested newts are discovered.
- If the application is recommended for approval, landscape conditions should be imposed to ensure that the proposals preserve and enhance the character and local distinctiveness of the surrounding natural and built environment.

CONCLUSIONS:

- The application has been the subject of pre-application meetings and a site inspection, between the design team and planning / specialist officers.
- While the proposed use constitutes development within the Green Belt, the use is environmentally friendly, reversible and temporary - albeit with a predicted life of up to 30 years.
- There is no objection to the associated landscape mitigation proposals to establish nectar bearing wildflower meadows (attractive to pollinator insects), native woodland / shelter belt / hedge planting and improved boundary fencing which would all be a positive enhancement of the landscape character and biodiversity of the site.
- The proposal to import additional material to the site will result in the overall raising of levels across the site. The additional build up of the levels will render the solar arrays more conspicuous than if the levels had been adjusted using cut and fill techniques utilising site won materials.
- The National Planning Policy Framework advises that the essential characteristics of Green Belts is their openness, thus the loss of openness, however limited, would harm the essential character of the Green Belt.
- The design and siting of the proposed solar arrays and the associated structures would give the area a suburban / industrial appearance and be perceived as extending urbanisation outside, but close to the built up area.

On balance the application is unacceptable because it fails to address the last three points.

SUSTAINABILITY OFFICER

I have no objections to the proposed development subject to the following:

Energy

The NPPF provides clear guidance on renewable energy developments. It states that one of the core principles of planning is to: support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy); However, the NPPF recognises the conflict of delivering renewable energy and protecting Green Belt. Paragraph 91 states: When located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.

The need for renewable energy technology is not disputed. The NPPF requires Local Authorities to accept the need for an increased amount of renewable energy technology and therefore, the implication is that such proposals should inherently be considered positive. To that end, I support the proposals from the perspective of 'need' and that it would be a positive contribution in terms of energy provision. Notwithstanding that, the harm of the specific location needs to be weighed up against this positive.

Ecology

The site has limited value for ecology. However, a development on this scale, with the importation of soil would invariably have a negative impact on grassland and wild growing flowers that would naturally occur on this site. The development should result in a net improvement for biodiversity and therefore the following condition is required:

CONDITION

Prior to the commencement of development an ecological enhancement scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall clearly detail measures to promote and enhance wildlife opportunities within the landscaping including the

planting of wild flowers and appropriate landscaping of the onsite pond. The scheme shall include an area of land dedicated to wildlife habitat. The development must proceed in accordance with the approved scheme.

REASON

To ensure the development contributes to ecological enhancement in accordance with Policy EM7 (Local Plan) and Policy 7.28 of the London Plan.

Monitoring

The importation of soil needs to be strictly regulated to avoid unauthorised loads being tipped on the site. I would therefore recommend a construction management plan that includes an onsite presence to validate waste deliveries and for waste tracking information to be sent to the Local Planning Authority that shows the source and type of waste. All information must be verifiable. A regular reporting mechanism should be considered.

HIGHWAY ENGINEER

The construction period is anticipated to be 7 months and the maximum traffic generation is expected to be for the first 5 months during which delivery of inert material for landscaping is likely to occur. 40 deliveries a day, or 80 two way movements, of 4 axle tipper trucks are expected.

The construction traffic delivery route will be via the M4 junction 4, Holloway Lane and into the northern part of Sipson Road. Coaches associated with the National Express Coach depot and HGVs associated with the Costain Hammersmith flyover project currently access Sipson Road via the Sipson Road/Holloway Lane roundabout.

The duration of the landscaping works comprising the delivery of inert material by 4 axle HGVs is expected to be 5 months with an estimated 40 deliveries a day. The auto tracks indicate the body of the HGVs overhanging the north west footway at the roundabout junction. The footway is wide and with not much pedestrian traffic. The developer would be required to cordon off parts of the footway, without obstructing pedestrians, for the duration of the works.

There delivery of PV panels will be by articulated HGVs which cannot negotiate round the roundabout. A bankman, as suggested in the transport statement is not sufficient on its own. There are expected to be overall 33 such deliveries which would have to take place off peak. Temporary signals or stop/go boards would be required with prior approval of the highway authority together with a requirement for deliveries to take place off peak. For the duration of the works a temporary traffic order prohibiting vehicles from parking along the relevant section of Sipson Road would be required in order to avoid conflict with coaches and empty lorries on their way out. A Condition is also required to ensure no deliveries or construction operative traffic passes through the local villages of Sipson and Harmondworth. These measures ought to be delivered under a Condition or S106 agreement.

Once the site becomes operational there is expected to be one maintenance vehicle visiting the site once a month. Subject to the above highway measures no objections would be raised on highway grounds.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The whole of the application site is designated as Green Belt. There are currently no proposals to delete this land from its Green Belt designation.

POLICY CONSIDERATIONS

The main policy issue in relation to this development is considered to be the principle of additional development within the Green Belt and its impact on the character and appearance of the Green Belt. The National Planning Policy Framework (NPPF) is relevant. At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. Nevertheless, the document states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Para 88. states:

"When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations".

The National Planning Policy Framework notes at Para 91, that when located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases, developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources. However, the NPPF goes on to state that when determining planning applications, local planning authorities should not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small scale projects provide a valuable contribution to cutting greenhouse gas emissions; and approve the application if its impacts are (or can be made) acceptable.

The London Plan strongly supports the protection, promotion and enhancement of London's open spaces and natural environments. Policy 7.16: Green Belt states that in terms of planning decisions:

"The strongest protection should be given to London's Green Belt, in accordance with national guidance. Inappropriate development should be refused, except in very special circumstances. Development will be supported if it is appropriate and helps secure the objectives of improving the Green Belt as set out in national guidance".

In terms of local policy, Part 1 of the Local Plan continues to give strong protection to Green Belt land. The relevant policy in the Local Plan is EM2 which makes clear that:

"The Council will seek to maintain the current extent, "Any proposals for development in the Green Belt and Metropolitan Open Land will be assessed against national and London Plan policies, including the very special circumstances test".

The 2007 Unitary Development Plan Saved Policies (currently serving as Part 2 of the Hillingdon Local Plan) are also relevant. Planning policy on Green Belt land is set out at Policies OL1, OL2 and OL4 in the 2007 Hillingdon Unitary Development Plan "Saved" Policies. These policies give strong emphasis to not normally permitting new building in the Green Belt, reflecting overarching national and London wide policies.

Of particular relevance is Saved Policy OL1 of the Hillingdon Local Plan Part 2, which endorses both national and London Plan guidance. Policy OL1 states 'Within the Green Belt, as defined on the Proposals Map, the following predominantly open land uses will be acceptable:

- Agriculture, horticulture, forestry and nature conservation;

- Open air recreational facilities;
- Cemeteries

The Local Planning Authority will not grant planning permission for new buildings or for changes of use of existing land and buildings, other than for purposes essential for and associated with the uses specified at (i), (ii) and (iii) above. The number and scale of buildings permitted will be kept to a minimum in order to protect the visual amenity of the Green Belt'.

The site is identified as derelict land in the Saved Policies UDP. (September 2007). This is a material consideration in the determination this application. The definition of derelict land includes worked out minerals excavations (such as the current site), which are not subject to enforceable planning conditions or other arrangements which provide for their restoration. In exceptional circumstances, the Local Planning Authority has in the past allowed a limited amount of development in excess of that usually acceptable under Policy OL1.

In these cases, the Local Planning Authority required the development scheme to include large scale environmental and amenity gains, commensurate with the extent of development envisaged. The above exemptions to Green Belt Policy are enshrined in Saved Part 2 Policy OL21. Saved Part 2 policy OL24 also requires such proposals to ensure any harm to sites of importance to nature conservation is minimised and that, as part of the restoration/aftercare scheme, remaining areas of nature conservation value are enhanced and new habitats created. However, from the information provided, it is not considered that the proposals would qualify for a relaxation of normal Green Belt policy on the basis of land restoration, as no land remediation is proposed in the current scheme.

VERY SPECIAL CIRCUMSTANCES

The proposal does not conform to the types of development allowed by Saved Policy OL1, the London Plan or the NPPF and as such the proposal will comprise inappropriate development, requiring very special circumstances to justify the proposal.

The applicant has sought to demonstrate that the proposed solar farm meets the 'very special circumstances' test. The applicant believes the benefits that the proposed solar farm will deliver outweigh the harm caused to the Green Belt by the presumption of 'inappropriate development'.

Firstly the applicant has submitted that the harm is limited to the site itself as opposed to the surrounding area. Secondly, the applicant has also specified that the impact of the proposed development would be temporary with full removal of the development in the future and that the character of the site would be improved as the result of the proposed ground improvement and planting works.

Thirdly the applicant believes that "the wider benefits associated with the increased production of energy from renewable sources" is a very special circumstances argument. In terms of renewable energy, the applicant is proposing to install a 6.2MW solar photovoltaic (PV) farm, whose electrical capacity is estimated to produce enough electricity to meet the annual electricity consumption of circa 1,848 homes. Based on the 2011 census data, this is equivalent to 1.85% of dwellings in Hillingdon. This green electricity is expected to displace 3,166 t CO₂/year, equivalent to the CO₂ emissions of around 600 homes. These arguments, the applicants submit could constitute 'very special circumstances' to outweigh the harm caused to the Green Belt.

In response to these very special circumstances arguments, it is acknowledged that the NPPF at para 98 states that that when determining planning applications, local planning authorities should not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse emissions. However, the National Planning Policy Framework also advises that the essential characteristics of Green Belts is their openness, thus the loss of openness, however limited, would harm the essential character of the Green Belt. As set out elsewhere in this report, it is considered that that the development would cause harm to the openness and purposes of the Green Belt at this location.

Whilst the reasons for a 30 year permission are understood, given the considerable length of time, this is not considered to be a temporary permission in the usual sense.

The main purpose of Hillingdon's Green Belt is to keep land open and free from development, to maintain the character and identity of individual settlements and to make a clear distinction between rural and urban environments, in support of strategic objective SO3 of the Local Plan. The Local Plan aims to create sustainable communities by concentrating new development in urban areas and local town centres. The Green Belt's role is to help reinforce this strategy by strictly controlling development in the open countryside. As such, the piecemeal loss of individual Green Belt sites such as this is not something the Council can support. The cumulative impact of a series of such changes could permanently affect the environmental status and amenity value of local areas of Green Belt such as this over time.

The point about the Green Belt designation running west to east across the Borough at this location is that whilst it is relatively narrow, it performs a valuable role, separating the main built up area of the Borough from Heathrow. This is pointed out as a key element contributing to Hillingdon's overall character in the latest draft of the Townscape Character Study, which is being prepared by consultants as part of the evidence base for Part 2 of the Local Plan. The Council would want to maintain the character and amenity of this important, relatively open area of Green Belt in future and avoid incursion by intrusive commercial activities, which can be more appropriately located elsewhere.

The Mayor considers that 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, the Mayor considers, and officers agree that the applicant has failed to demonstrate that the environmental benefits that the proposal will bring outweigh the resultant harm to the Green Belt.

CONCLUSION

The applicant has submitted a copy of a recently concluded High Court case (Redhill Aerodrome). The applicants submit that it is important to this application as it changes the way in which the Green Belt 'very special circumstances' test needs to be applied.

Officers have reviewed this judgement and consider that the correct approach is to go through the harm which is caused when a development is inappropriate in the Green Belt and add to that actual harm to the Green Belt. That combination amounts to substantial weight against a development proposal. Against that have to be placed the positive factors in favour of the development, before reaching a conclusion as to whether very special circumstances have been demonstrated to clearly outweigh the harm to the Green

Belt. This approach has been adopted in assessing whether the benefits, when weighed against the drawbacks of the proposed development, are significant and therefore very special circumstances weighing in favour of the proposal exist, in the case of the proposed development.

It is considered that the proposed commercial development would intrude into the undeveloped landform and result in loss of openness to the Green Belt. The proposed fencing would also create a sense of enclosure that would compound the perception of loss of openness. It is considered that should the development be allowed, this part of the Green Belt land would fail to fulfill its function of checking unrestricted urban sprawl, or assist in safeguarding the countryside from encroachment.

On balance, it is therefore considered that the development would cause harm to the openness and purposes of the Green Belt and no very special circumstances have been provided by the applicant or are evident, which overcome the presumption against inappropriate development in the Green Belt, contrary to Local Plan Policy EM2, Policy OL1 and OL2 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012), London Plan Policies 5.20 and 7.16 and the provisions of the NPPF. It is therefore recommended that planning permission be refused for this reason.

It is noted that the decision on the Redhill Aerodrome case has recently been quashed and full reasons for this decision have not been provided. However, in these circumstances, the assessment officers have made is considered robust.

7.02 Density of the proposed development

Not applicable to this development.

7.03 Impact on archaeology/CAs/LBs or Areas of Special Character

The site does not fall within an Archaeological Priority Area. Furthermore, this is a former landfill site and the proposed development does not involve any significant excavations, as the solar panels will be secured to the ground by driven posts. As such it is not considered that there are any archaeological issues associated with this development.

There are no Conservation Areas or Listed Buildings within the vicinity of the site.

7.04 Airport safeguarding

The application was referred to Heathrow Aerodrome Safeguarding and a response was received, which stated that the proposal has been examined from an aerodrome safeguarding perspective and does not conflict with safeguarding criteria, subject to a planning conditions for the submission of a Bird Hazard Management Plan and a Landscape scheme, including details of species, number and spacing of trees and shrubs. These matters could be addressed by condition in the event of an approval.

A Glint and Glare study has been submitted with the planning application. The study sets out a full glint and glare assessment with particular consideration being given to potential impacts upon operations at Heathrow Airport and on the M4 motorway.

Solar PV panels are designed to absorb as much light as possible and do not therefore generally give rise to issues associated with glint and glare. The study concludes that the overall reflection impacts for Heathrow Airport are assessed as negligible, and the proposed development fulfils Civil Aviation Authority guidance for solar farms.

7.05 Impact on the green belt

The most important attribute of Green Belts is their openness and the aim of preserving the openness of Green Belt land is reiterated in the NPPF, Local Plan Part 2 Policy OL1.

Policy OL2

states that, where development proposals are acceptable in principle in accordance with Policy OL1, the Council will where appropriate seek comprehensive landscaping improvements to achieve enhanced visual amenity and other open land objectives. The application site is visible from public vantage points including the Harmondsworth Road where it crosses the M4.

The application includes a 'Landscape and Visual Impact Assessment' (L&VIA), which described the landscape character and context and the significant areas of vegetation. The applicant has recognised that the impact on the character and openness of the site would be significant, but argues that that the harm is limited to the site itself, as opposed to the surrounding area. The applicant has proposed measures to improve the ground conditions and enhance the boundary landscaping, to minimise the immediate views of the arrays. The L&VIA concludes that, with mitigation landscaping, the facility will be very effectively screened and, because of the local topography, the zone of visual influence will be very limited. The applicant also argues that all negative impacts are temporary, as once the useful life of the solar panels has been reached, they, together with all ancillary structures, will be removed and the openness of the site will be restored. Finally, the character will have been significantly enhanced as a result of the land improvement, additional planting and biodiversity/habitat measures that will have been put in place.

The site, whilst not of high landscape value, is considered to offer a degree of visual amenity. In terms of the current proposal, the site currently supports rough grassland weeds and scrub vegetation. The greatest impact of the proposed development on the Green Belt would be upon its visual amenity due to the solar elements and associated ancillary structures within the landscape.

An extensive area of land would be covered by straight rows of above ground coloured panels and their supporting framework. It is considered that this would represent a major change, forming an extensive and incongruous feature, which would detract significantly from the rural character of the landscape. The design and siting of the proposed solar arrays and the associated structures would give the area an industrial appearance and be perceived as extending urbanisation outside, but close to the built up area. The finished effect of developing this open, rural site for industrial purposes would be of projecting urban development into the countryside and would be alien to the rural character of the area generally. The proposed fencing would also create a sense of enclosure that would compound the perception of loss of openness. As such, it is considered that the development would intrude into the undeveloped landform and would cause harm to the openness and purposes of the Green Belt at this location.

In particular, there is one off-site location, from which there are views through and across the site which would be difficult to screen by landscape mitigation. This is the short stretch where Harmondsworth Road crosses the M4 on higher ground. Although it is proposed to widen the embankment and provide a landscaped planting area within the site, it would not be possible to completely screen the views of the site from this public vantage point. From outside the site, impacts on openness and character will also be evident to a lesser extent from the immediately surrounding roads and will be compounded by the presence and visual impact of the boundary fence and CCTV cameras. The Mayor considers that the proposed boundary treatments would not properly mitigate and address the harm caused to the character and openness of the site in this location.

In addition, the proposal to import additional material to the site will result in the overall raising of levels across the site. The additional build up of the levels will render the solar

arrays more conspicuous than if the levels had been adjusted using cut and fill techniques utilising site won materials.

It is considered that the harm identified to the Green Belt adds to the substantial weight attached to the harm by reason of inappropriateness. Overall, the proposal would fail to accord with policy 7.16 of the London Plan 2011, policy EM2 of the Local Plan-Part 1 and policies OL1 and OL4 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

7.06 Environmental Impact

Saved Policy MIN20 requires any new proposals for landfill to demonstrate the incorporation of gas control and monitoring schemes, to take account of landfill gas, ensure ancillary activities do not affect pollution control measures and to provide suitable protection for pollution control measures. Saved policy MIN21 requires the impact of land filling on the hydroecological regime to be taken into consideration, including monitoring of the water table and any appropriate mitigation measures once land restoration is complete. Saved policy OE1 seeks to protect areas from development that would result in pollutants, unless sufficient measures are taken to mitigate the environmental impact. Policy OE11 seeks to limit harmful or hazardous substances which are a potential safety risk unless appropriate ameliorative measures are proposed to overcome the risk.

CONTAMINATION

The application is supported by a Geo-Environmental Assessment and a Geo-Environmental Site Investigation. The latter document describes the site as being operated as a gravel pit during the 1950s and early 1960s and then having been land filled, with commercial and domestic waste, between 1963 and 1970. The site was then reinstated and has remained in an undeveloped state ever since.

Whilst the Geo-Environmental Assessment concludes that the landfill material could give rise to a wide range of contaminants, it finds that given that the nature of the development and that it will employ no dig techniques in order to secure the relevant structures, it is unlikely that it will be effected by any on site contamination, or result in the creation of new mitigation pathways that will result in an impact to the underlying aquifer. The Report does however conclude that the underlying landfill is likely to be generating ground gas, which could pose a risk to future site buildings and infrastructure, including service trenches.

The Geo-Environmental Assessment records an overall environmental risk rating of medium to high and makes a number of recommendations to mitigate the risk. These include early engagement with the Council, Environment Agency and National Grid, the undertaking of a Phase II investigation, the completion of a Piling Risk Assessment and the completion of a Materials Management Plan.

The Phase II Geo-Environmental Site Investigation also includes a Tier 1 Human Health Risk Assessment, which concludes that based on a commercial end use, there are no significant concentrations of potential contaminants.

The Geo-Environmental Investigation also sought to establish whether the material in the mound, in the southwest part of the site, could be used to fill the depressions and so restore a level site profile. The investigation concluded that some material is likely to be suitable for reuse. However, the applicant has decided that the areas of severe settlement will now be filled using imported, inert material. As such, the applicant argues that there should be no environmental issues which could arise if the capping level is disturbed.

The Council's Environmental Protection Unit notes that at the time of the previous investigation in 1998, there were quite high gas levels and some contaminants in the leachate above water quality standards. The ground conditions are domestic and mixed with waste such as ash and rubble. The new site investigation was limited to the bund in the corner near the petrol station. The waste in the bund trial pits appear to meet to human health standard generic guidelines for a commercial use.

The Environmental Protection Unit has advised that should permission be granted, a contaminated land condition should be applied, since testing has only been carried out on the bund, and further information is required for the rest of the site. If the capping is clean and tested, there may not be a contamination issue. However, it will be necessary to ensure that on the original landfill, it is clean and uncontaminated for the people who access the site.

The Environment Agency has raised concerns that the topography of the site with proposed restoration levels using imported waste will not minimise the quantity of waste for the development. The Agency acknowledges that since this is a former landfill site, redevelopment using site derived materials may pose a risk to the environment. However, where this material can be demonstrated as suitable for use, this should be used and could minimise or negate the need for any import of waste.

The Agency also advise that the proposed landfill site will require an Environmental Permit under Schedule 10 of the Environmental Permitting Regulations 2010. However, the Agency does not currently have enough information to know if the proposed development can meet its requirements to prevent, minimise and/or control pollution and has concerns that these requirements might not be met through the current planning application.

The Agency also notes that the importation of soil needs to be strictly regulated, to avoid unauthorised loads being tipped on the site. It therefore recommends a construction management plan that includes an on-site presence to validate waste deliveries and for waste tracking information that shows the source and type of waste. Had the application been acceptable in other respects, this could be secured by condition or a S106 Agreement.

CONTROLLED WATERS

The Environment Agency been consulted on this application and notes that the site is located on historic landfill, containing hazardous substances which pose significant risk to the groundwater receptors. Furthermore, the site is located on a principal aquifer and in close proximity to two groundwater abstraction points. The Agency notes that submitted Phase 1 report identifies groundwater and nearby abstractions as potential receptors, but categorises them as low risk. However, the Phase 2 report does not assess risks to controlled waters. The Agency is therefore unable to provide detailed comments on this report, as materials are being imported to site and their placement over an existing landfill could cause movement of contamination within the historic landfill. Since it is not clear whether the site is impacting groundwater or if leachate is present, further assessment is needed in this respect.

Notwithstanding the above mentioned concerns, the Environment Agency has advised that planning permission could be granted to the proposed development, subject to a number of safeguards to prevent pathways for new contamination, to prevent mobilisation of existing contamination within the site and to prevent future deterioration or further contamination of groundwater. The Agency has therefore recommended a number of

planning conditions to secure these safeguards, as set out below. Without these conditions, the Agency would object to the application, as the proposed development would pose an unacceptable risk to the environment.

- No infiltration of surface water drainage into the ground at the site is permitted.
- A scheme to collect and dispose of surface water at ground level
- A scheme that includes the following components to deal with the risks associated with contamination of the site, including a preliminary risk assessment, a site investigation scheme, remediation strategy and a verification plan
- A verification report demonstrating completion of works set out in the approved remediation strategy including a long-term monitoring and maintenance plan

It is considered that the above mentioned safeguards and the further recommendations set out in the Geo-Environmental Assessment (i.e. the need for a Piling Risk Assessment and Materials Management Plan) could be secured by conditions and a S106 agreement, should planning permission be granted. Subject to compliance with these conditions, it is considered that the risk of land contamination pollution of controlled waters could be minimised, and the statutory functions of the Environment Agency would not be compromised, in compliance with Policies MIN20, MIN21, OE1 and OE11 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

7.07 Impact on the character & appearance of the area

Policy BE13 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seeks to ensure that the layout and appearance of new development harmonises with features of the area which are considered desirable to retain or enhance.

DCLG (Planning practice guidance for renewable energy, published July 2013) lists the particular planning considerations that relate to large scale ground-mounted solar photovoltaic farms. Cumulative landscape impacts and visual impacts should be considered separately. Cumulative visual impacts concern the degree to which a renewable energy development will become a feature in particular views or sequence of views, and the impact this has upon the people experiencing those views.

The application site is visible from public vantage points, including the most prominent view from Harmondsworth Road, where it crosses the M4 on higher ground. Vegetation along the boundaries, together with the existing bunds, will help to screen immediate views to some extent, particularly from the east, south and north.

The site itself is fundamentally open in character, supporting rough grassland weeds and scrub vegetation. Whilst not of significant landscape value, the site fulfills its Green Belt function of keeping land open and free from development, of maintaining the character and identity of individual settlements and making a clear distinction between rural and urban environments.

Whilst the surrounding area support various types of development, this is generally low key. Immediately to the east lies a coach depot which contains areas of hard standing and warehouse style buildings. Further afield, to the southeast is a Holiday Inn, which is visible in the surrounding landscape. To the south is a SITA waste disposal centre, a recycling plant and a garden centre. To the west there is another garden centre and petrol filling station and to the north, beyond the M4, there are residential properties. Overall, the land to south of the M4 motorway, and to the north of Heathrow Airport is open and rural in character and comprises predominantly agricultural fields and existing and former mineral extraction/landfill sites.

The Landscape and Visual Impact Assessment (L&VIA) submitted in support of the application concludes that visual impacts, during the operations phase, will range from nil-negligible adverse (adjacent properties), through to negligible-slight to moderate adverse (surrounding highways) and moderate adverse (the Holiday Inn). Once the facility has been decommissioned, and the associated structures removed from site, the impact will be negligible-slight beneficial.

As noted elsewhere in this report, the site is located in the Green Belt, the proposed solar arrays and the associated structures would affect the fundamental open character of the site, which the Local Planning Authority considers desirable to retain. The National Planning Policy Framework advises that the essential characteristics of Green Belts is their openness. Thus the loss of openness, however limited, would harm the essential character of the Green Belt.

While there is scope for soft landscape enhancement in the form of new/replacement planting within and around the proposed layout, it is not considered that this would mitigate against the built development, which will be visually evident. The design and siting of the proposed solar arrays and the associated structures would give the area an industrial appearance and be perceived as extending urbanisation into the existing rural landscape. The dispersal of the solar arrays and other paraphernalia associated with this commercial development would result in a significant urbanising effect, by transforming the open rural nature of the area to a harder, urban character, fragmenting the existing, spacious green landscape and influencing important views and vistas to and from the Green Belt. In addition, if permitted, the development could create pressure, which may be hard to resist, to release the adjoining Green Belt sites future development.

On balance, it is considered that the scheme would fail to conserve and enhance the visual amenity of the Green Belt, or harmonise with features of the area which are considered desirable to retain or enhance, contrary to Policy BE13 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

7.08 Impact on neighbours

Saved Policy OE1 and OE3 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seek to protect the environment from the adverse effects of pollutants and to ensure sufficient measures are taken to mitigate the environmental impact of the development and ensure that it remains acceptable.

There are no residential properties in the immediate vicinity of the site, or on the route that construction and delivery traffic will use to access the site. The nearest residential properties are to the north, beyond the M4 motorway.

As indicated by the Air Quality Assessment, the development will have no measurable impact on the level of air quality in the area, in view of the short build period, combined with measures to control the level of dust created during construction. The main source of noise is likely to be associated with transport movements during the construction phase which is expected to last some seven months. The short construction period would limit the number of vehicle movements, which will only take place during normal working hours.

During the operational phase, the development will only require a very small number of visits to maintain it, once it becomes operational. As a result, it is considered that the traffic associated with the proposal, will have very little effect on air quality, noise or traffic

levels in the surrounding area. In addition, the solar arrays will be fixed and accordingly, the facility will be silent during the operations phase. The Geo-Environmental Assessment and Investigation studies indicate that the development will not pose any risk to human health. Finally, the Glint and Glare Assessment concludes that the PV panels will not be a source of nuisance to any local receptor.

It is therefore considered that the proposal would not cause harm to the amenity of surrounding adjacent residential properties, in accordance with Local Plan Policies PT1.BE1, BE19, or OE1.

7.09 Living conditions for future occupiers

Not applicable to this application, as the proposal does not include residential development. Living conditions for future residential occupiers is therefore not relevant to consideration of this proposal.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Saved Local Plan Part 2 Policies AM2, AM7, AM14 and AM15 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) are concerned with traffic generation, on-site parking and access to public transport.

The planning application includes a Transport Assessment (TA), which reviews the existing traffic and highways conditions in the area.

The construction period is anticipated to be 7 months and the maximum traffic generation is expected to be for the first 5 months, during which delivery of inert material for landfill is likely to occur. 40 deliveries a day, or 80 two way movements of 4 axle tipper trucks are expected. The construction traffic delivery route will be via the M4 junction 4, Holloway Lane and

into the northern part of Sipson Road. Coaches associated with the National Express Coach depot and HGVs associated with the Costain Hammersmith flyover project (adjacent to the application site) currently access Sipson Road via the Sipson Road/Holloway Lane roundabout.

The Highway Engineer notes that the auto tracks indicate the body of the HGVs overhanging the north west footway at the roundabout junction. However, the footway is wide, with not much pedestrian traffic. The developer would be required to cordon off parts of the footway, without obstructing pedestrians, for the duration of the construction works.

With regard to the delivery of PV panels, this would be by articulated HGVs which cannot negotiate round the roundabout. The Highway Engineer considers that a banksman, as suggested in the transport statement is not sufficient on its own. There are expected to be overall 33 such deliveries, which would have to take place off peak. Temporary signals or stop/go boards would be required with prior approval of the highway authority, together with a requirement for deliveries to take place off peak. For the duration of the works, a temporary traffic order prohibiting vehicles from parking along the relevant section of Sipson Road would be required, in order to avoid conflict with coaches and empty lorries on their way out. It would also be necessary to ensure that no deliveries or construction operative traffic passes through the local villages of Sipson and Harmondworth. These measures could be secured by way of conditions or a S106 agreement, in the event of an approval. Subject to the above highway measures being secured, the Highway Engineer raises no objections to the proposal on highway grounds.

Given the location and nature of the application, TfL accepts that once operational, the

proposed development could have a minimal impact on either the highway or public transport networks. However, TfL notes that the submitted transport statement predicts 40 daily HGV movements during the 7 month construction period and on that basis, if planning permission is granted TfL recommends that the applicant submits a Construction Logistics Plan (CLP) for the Council's approval, to comply with London Plan Policy 6.3.

Finally, the Glint and Glare study has concluded that solar reflections will have virtually no effect on road traffic on the main M4 motorway, nor the M4 spur connecting Junction 4 and Heathrow Airport.

It is considered that had the development been acceptable in other respects, the above mentioned safeguards could be secured by conditions and/or a S106 Agreement, in order to ensure the free flow of traffic and highway and pedestrian safety, in compliance with Policies AM2, AM7, AM14 and AM15 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

7.11 Urban design, access and security

URBAN DESIGN

Design matters are not the principal issues regarding this application. The Urban Design and Conservation Officer has therefore made no comments to the proposals.

SECURITY

The Metropolitan Police Crime Prevention Officer raises no objections to this proposal.

7.12 Disabled access

Not applicable to this development.

7.13 Provision of affordable & special needs housing

Not applicable to this development.

7.14 Trees, landscaping and Ecology

TREES AND LANDSCAPING

Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate. Saved policy OL1 and 2, and the National Planning Policy Framework seek to restrict inappropriate development and retain the openness, character and appearance of the Green Belt.

DCLG (Planning practice guidance for renewable energy, published July 2013) lists the particular planning considerations that relate to large scale ground-mounted solar photovoltaic farms. Cumulative landscape impacts and visual impacts should be considered separately. Landscape impacts are the effects of the proposed development on the fabric, character and quality of the landscape and the degree to which a proposed renewable energy development will become a significant or defining characteristic of the landscape. Cumulative visual impacts concern the degree to which a renewable energy development will become a feature in particular views (or sequence of views, and the impact this has upon the people experiencing those views).

The Landscape and Visual Impact Assessment (L&VIA) submitted in support of the application describes the local topography as being predominantly flat and, whilst the landscape is open, views into the site are restricted by the hedgerows in the surrounding area, and vegetation and bunds on the site boundary. The vegetation along the

boundaries, with the bunds behind, means that from most off-site vantage points, the interior of the site is effectively screened from view. However, there are sporadic gaps in the existing vegetation, through which it may be possible to see from the roads that immediately border the site, the top edge of solar panels. The scheme therefore includes proposals to enhance boundary landscaping, in order to ensure immediate views are minimised.

The Landscape and Visual Impact Assessment, together with Photoviews consider the likely visual impacts on the landscape character, public highways, public rights of way, residential properties and recreational facilities. Predictably the adverse impacts will be most evident during the construction / installation phase. The assessment concludes that as the planting establishes, the residual impact on the local landscape character would be negligible/slight beneficial.

The L&VIA finds that the local landscape is affected by a number of man-made features. Views are constrained by existing vegetation and topography, thereby decreasing inter-visibility. It concludes that both the landscape value of the site and the surrounding area, and the sensitivity of the landscape to change, is low. The L&VIA also concludes that the proposal will introduce new elements that, whilst not wholly uncharacteristic of the landscape, will be largely screened by existing vegetation. These elements will have a low-medium impact upon landscape character, whilst the proposed new planting will have a positive impact.

The Tree and Landscape officer notes that no trees or other landscape features of merit will be affected by the proposal. Landscape enhancement will include extensive areas of trees, shrubs and hedges along the boundaries. As part of the landscape management plan, the meadows will be grazed by sheep and used to accommodate beehives. As part of the enabling work, topsoil will be stripped and stored, prior to backfilling of the settled areas with imported inert material and re-topsoiling to provide a more, even gradient across the site.

There is no objection to the associated landscape mitigation proposals to establish nectar bearing wildflower meadows, native woodland, shelter belts, hedge planting and improved boundary fencing which would all be a positive enhancement of the landscape character and biodiversity of the site.

The Tree and Landscape Officer comments that if the application is recommended for approval, landscape conditions should be imposed to ensure that the proposals preserve and enhance the character and local distinctiveness of the surrounding natural and built environment.

ECOLOGY

Hillingdon's Local Plan: Part 1 "Strategic Policies" (adopted November 2012) EM2 (Green Belt, Metropolitan Open Land and Green Chains), EM3 (Blue Ribbon Network), EM7 (Biodiversity and Geological Conservation) and EM8 (Land, Water, Air and Noise) deal with ecological issues.

Saved Policy EC2 of the Local Plan Part 2 seeks the promotion of nature conservation interests. Saved Policy EC3 requires proposals for development in the vicinity of sites of nature conservation importance to have regard to the potential effects on such sites on changes in the water table and of air, water, soil and other effects, which may arise from the development. Regarding the creation of new habitats, Saved Policy EC5 of the Local

Plan seeks the retention of certain on-site ecological features, enhancement of the nature conservation and ecological interest of sites or create new habitats.

Policy 7.19 of the London Plan states that the planning of new development and regeneration should have regard to nature conservation and biodiversity and opportunities should be taken to achieve positive gains for conservation through the form and design of development.

The NPPF at para.109 states inter alia that the planning system should contribute to and enhance the natural and local environment by: protecting and enhancing valued landscapes, geological conservation interests and soils; recognising the wider benefits of ecosystem services; minimising impacts on biodiversity and providing net gains in biodiversity. This central government advice confirms and reinforces relevant policies in the Hillingdon Local Plan and the London Plan (2011).

An Extended Phase 1 Habitat Survey, concludes, that the proposed development is mostly impacting on habitats with low quality value and that the development includes opportunities for the enhancement of wildlife habitats. It also notes that a new/replacement water body is to be provided. The Habitat Survey confirms that the proposal will have a moderate to significant beneficial impact upon the biodiversity, ecological and landscape value of the site.

The site is not considered to be within a high quality area of ecology. However, the Strategy Planning Practice Guidance for renewable and low carbon energy encourages biodiversity improvements around arrays. In addition, a number of sites classified as derelict, such as this, do possess a degree of ecological value, resulting from habitat regeneration which has occurred over time. In many cases, it will be possible to protect and enhance this value.

Natural England notes that the site is in close proximity to the Staines Moor Site of Special Scientific Interest(SSSI), but is satisfied that if carried out in strict accordance with the details of the application, the proposed development is will not damage or destroy the interest features for which the Staines Moor SSSI has been notified.

In terms of protected species, an Amphibian Survey concludes that there are no records of great crested newts on the site, following four surveys.

The Council's Sustainability Officer considers that a development on this scale, with the importation of inert waste/soil would invariably have a negative impact on existing grassland and wild growing flowers that would naturally occur on this site. Since the policy requirement for a proposal of this type and scale is for the development to result in a net improvement for biodiversity, a condition requiring an ecological enhancement scheme should be imposed, in the event of an approval. The scheme would be required to detail measures to promote and enhance wildlife opportunities within the landscaping, including the planting of wild flowers and appropriate landscaping of the on-site pond.

The Mayor considers that the proposed landscaping and habitat management proposals are acceptable in principle and in line with London Plan policy 7.19. Should planning permission be granted, a more detailed ecological survey should be undertaken, in order to inform the detailed landscape design and habitat creation proposals.

Had the development been acceptable in other respects, it is considered that appropriately worded conditions would ensure that the development contributes to

ecological enhancement, in accordance with Policy EM7 (Local Plan) and Policies 7.19 and 7.28 of the London Plan.

7.15 Sustainable waste management

Not applicable to this development.

7.16 Renewable energy / Sustainability

The NPPF requires Local Authorities to accept the need for an increased amount of renewable energy technology and therefore, the need for renewable energy technology is not disputed.

The NPPF provides clear guidance on renewable energy developments. It states that one of the core principles of planning is to support the transition to a low carbon future in a changing climate. However, the NPPF recognises the conflict of delivery renewable energy and protecting Green Belt. Paragraph 91 states: When located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.

It is acknowledged that the proposal would make a positive contribution in terms of renewable energy provision. In terms of renewable energy, the proposed solar photovoltaic farm is expected to displace 3,166 t CO₂/year, equivalent to the CO₂ emissions of around 600 homes. As set out in London Plan policy 5.5 on decentralised energy generation, the proposal will contribute to achieving the Mayoral target for 25 percent of the heat and power used in London to be generated through the use of localised decentralised energy systems by 2025. The proposal will also help deliver London Plan policy 5.7 on increasing renewable energy generation, where the Mayor seeks to increase the proportion of energy generated from renewable sources. However, as stated elsewhere in this report, the harm of the site's specific location (in this case in the Green Belt) needs to be weighed up against this positive contribution.

The Mayor considers that the energy hierarchy does not apply to the application, as there are no buildings proposed as part of the application.

7.17 Flooding or Drainage Issues

The site is not located in Flood Zones 2 and 3, but the site exceeds 1 hectare in extent. A Flood Risk Assessment (FRA) and Preliminary Drainage Strategy has therefore been submitted. The FRA confirms that the site lies wholly within Flood Zone 1 and that the only flood risks are from ground water and sewer sources. The ground water risk is associated with large water bearing gravel deposits which lie within the southern area of the Borough. These deposits have, however, been quarried from the site.

The Drainage Strategy finds that, at present, the site is not positively drained, with surface water being retained in the ponds and the many depressions, on the site. It also finds that the development will increase the overall area of hard standing within the site from 0% to 1.37% of the gross area. With infiltration methods not being suitable or permissible, due to the fact that the site has been land filled and overlies a Principal Aquifer, the Report proposes to drain the small amount of flow created by the hardstanding via a swale located along the south boundary of the site, discharging into the highways drain located within Holloway Lane.

This SuDs technique will ensure that run-off from the proposed development is restricted to existing Greenfield run-off rates or a minimum of 5ls (whichever is the higher value). The FRA and Drainage Strategy confirm that the site is not at risk from flooding and that it

will not increase flood risk elsewhere.

The Council's Flood and Drainage Officer notes that the applicants propose to discharge from the swale into the nearby highway drainage along Holloway Lane. There is no survey or information on the capacity of this drainage or current condition to demonstrate its ability to accept any further discharge from the site, or that it will not exacerbate further surface water ponding issues along Holloway Lane to the north under the M4. It was stated in the Flood Risk Assessment that prior to discharge into any Thames Water sewers, the capacity would be investigated, and this would be expected of any proposed discharge to highway drainage. A detailed survey by the applicant would therefore need to be undertaken before this proposal would be considered acceptable. As such, the application has failed to demonstrate that flood risk can be suitably mitigated.

However, the Preliminary Drainage Strategy demonstrates that a surface water drainage strategy is feasible for the development. The site provides the opportunity for the inclusion of grassed

swales, ensuring that surface water run-off rates and volumes can be maintained at predevelopment levels. No objections are raised, subject to a condition requiring the submission, approval and implementation of a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment (FRA). Subject to this condition, it is considered that the risk of flooding on and off site would be minimised. The proposal is therefore considered to accord with Policy EM6 (Flood Risk Management) of the Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012), Policies OE7 and OE8 of the Local Plan Part 2 Saved UDP Policies, Policy 5.12 and 5.13 of the London Plan (July 2011) and the Technical Note Planning Policy Statement 25.

7.18 Noise or Air Quality Issues

AIR QUALITY

The site lies within an Air Quality Management Area and Local Plan Policy PT1.EM8 requires that an applicant demonstrates its proposal will cause no worsening of air quality. The application includes an Air Quality Assessment which identifies that there is some limited potential for air quality impacts as a result of dust created during the construction phase, which can be minimised by controlled measures. It concludes that impacts from construction activities are not significant.

During the operational phase of the development, traffic exhaust emissions are identified as being the only potential source of air pollution and that impacts from this source are likely to be negligible.

It is considered that the proposal will have no measurable impact on the level of air quality in the area, in view of the short construction phase, combined with measures to control the level of dust created during construction which could be secured by condition, in the event of an approval.

It is noted that the Air Quality Assessment only considers the potential impacts upon the area immediately surrounding the site. However, the applicants point out that in the wider context, the generation of up to 6.2 MWp from a non-polluting renewable source will reduce CO₂ emissions by up to 2,717,000 kg a year, will save thousands of tonnes of pollutants from entering the atmosphere and will thus have a significant beneficial impact upon general air quality.

Overall, it is considered that the development complies with Policy 7.15 of the London

Planand Local Plan Policy PT1.EM9.

NOISE

Saved Policies OE1 and OE3 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seek to protect the environment from the adverse effects of pollutants and to ensure sufficient measures are taken to mitigate the environmental impact of the development and ensure that it remains acceptable. Saved Policy OE3 seeks to ensure that uses which have the potential to cause noise be permitted only where the impact is appropriately mitigated.

The main source of noise is likely to be associated with transport movements during the construction phase, which is expected to last some seven months. However, there are no sensitive receivers in the immediate vicinity of the site.

Due to the nature of the proposal, the development will only require a very small number of visits to maintain it, once it becomes operational. As a result, the traffic associated with the proposal will have very little effect on air quality levels, noise levels or traffic levels in the surrounding area. The solar arrays will be fixed (i.e. they will not track the sun) and, accordingly, the facility will be silent during the operations phase. Notably, officers in the Council's Environmental Protection Unit have raised no objections in this regard. Accordingly, it is not considered that the development would result in a significant increase in noise which could have a detrimental impact on residential amenity, in compliance with relevant policies.

7.19 Comments on Public Consultations

2 letters in support have been received to the public consultation the contents of which are summarised in the consultee section of this report.

7.20 Planning obligations

Policy R17 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) is concerned with securing planning obligations to supplement the provision of recreation open space, facilities to support arts, cultural and entertainment activities, and other community, social and education facilities through planning obligations in conjunction with other development proposals. These saved UDP policies are supported by more specific supplementary planning guidance.

The Council's Section 106 Officer has reviewed the proposal, as have other statutory consultees, including the Greater London Authority. The comments received indicate that no contributions or planning obligations are required to mitigate the impacts of the development.

7.21 Expediency of enforcement action

There are no enforcement issues associated with this application.

7.22 Other Issues

There are no other issues associated with this application.

8. Observations of the Borough Solicitor

General

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in

accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in Probity in Planning, 2009.

Planning Conditions

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

9. Observations of the Director of Finance

Not applicable.

10. CONCLUSION

The proposal does not conform to the types of development allowed by national, London Plan and Local Plan policies and as such the proposal constitutes inappropriate development in the Green Belt, requiring very special circumstances to justify the proposal. The applicant has submitted that the harm to the openness of the Green Belt is limited to the site itself as opposed to the surrounding area; the impact of the proposed development would be temporary; that the character of the site would be improved as the result of the proposed ground improvement and planting works and that the wider benefits associated with the increased production of energy from renewable sources constitute a very special circumstances argument to justify why normal Green Belt policy should not apply in this case.

Clearly, the proposal will make a significant contribution towards the targets set out in the London Plan and the Council's objective of ensuring that by 2026, the generation of energy from renewable sources is common practice. This must be weighed against the drawbacks of the proposed development, in terms of the impact on the Green Belt.

It is considered that the proposed development would impact significantly from the rural character of the landscape. The design and siting of the proposed solar arrays and the associated structures would give the area an industrial appearance and would intrude into the undeveloped landform, resulting in harm to the openness and purposes of the Green Belt at this location. It is considered that the harm identified to the Green Belt adds to the substantial weight attached to the harm by reason of inappropriateness.

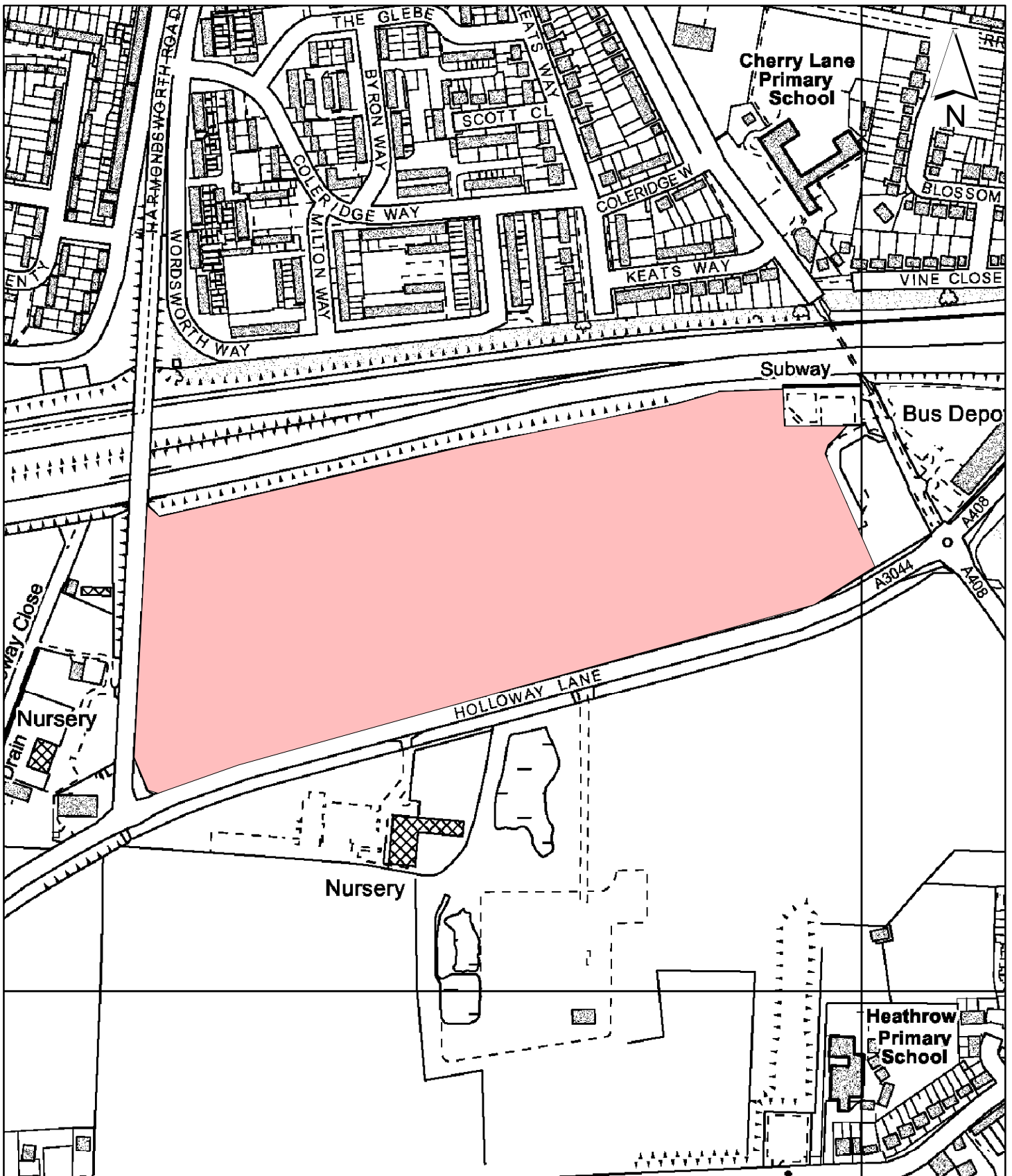
No very special circumstances have been provided by the applicant or are evident, which overcome the presumption against inappropriate development in the Green Belt or demonstrate that the benefits that the proposed solar farm will deliver outweigh the harm caused to the Green Belt. It is therefore recommended that planning permission be refused for this reason.


11. Reference Documents

National Planning Policy Framework (NPPF)
London Plan 2011
Planning Practice Guidance for Renewable and Low Carbon Energy (July 2013
Department for Communities and Local Government)
UK Solar PV Strategy Part 1: Roadmap to a Brighter Future (Department of Energy &
Climate Change)
UK Solar PV Strategy Part 2: Delivering a Brighter Future (Department of Energy &
Climate Change)
Hillingdon Local Plan Part 1 Strategic Policies
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)
Council's Supplementary Planning Guidance - Community Safety by Design
Council's Supplementary Planning Document - Air Quality

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<p>Notes</p> <p> Site boundary</p> <p>For identification purposes only.</p> <p>This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act).</p> <p>Unless the Act provides a relevant exception to copyright.</p> <p>© Crown copyright and database rights 2014 Ordnance Survey 100019283</p>	<p>Site Address</p> <p>Land Adjacent To Sipson Road In Holloway Lane Harmondsworth</p>		<p>LONDON BOROUGH OF HILLINGDON</p> <p>Residents Services Planning Section</p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
	<p>Planning Application Ref:</p> <p>46223/APP/2014/1867</p>	<p>Scale</p> <p>1:4,500</p>	
	<p>Planning Committee</p> <p>Major</p>	<p>Date</p> <p>October 2014</p>	