



Statement of Case on behalf of Aldenham Parish Council

Hilfield Solar Farm,
Aldenham, Herts.

Pins Ref:
APP/N1920/W/22/32
95268

HCUK Group is a multi-disciplinary environmental practice offering expert advice in archaeology, heritage, landscape, arboriculture, and planning. It began life in 2010 as Heritage Collective LLP, before becoming Heritage Collective UK Limited in 2014. In the coming years diversification saw the addition of Archaeology Collective, Landscape Collective and Planning Collective, before all strands came together to be branded under a single umbrella: HCUK Group, based on the acronym for the original company. A home working company since the beginning, we are pleased to employ a talented workforce of consultants and support staff, who are on hand to advise our clients.



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- App. 1 21/0050/FULEI – Aldenham Parish Council Comment**
- App. 2 Planning Report of David Lane, DLA**
- App. 3 Plan showing PROW and Heritage Assets**

1. Introduction

- 1.1** This Statement of Case has been prepared by HCUK Group acting as planning consultant for Aldenham Parish Council, who have been granted Rule 6(6) status.
- 1.2** The site is wholly within Aldenham Parish and the proposed development was considered by the Parish Council at their meeting on 15th February 2022. Prior to consideration of the application the Parish Council asked a Planning Consultant, Mr David Lane of DLA to provide a full analysis of the proposed development and his report was presented to the Parish Council at their meeting on 15th February 2021. The Parish Council resolved to object to the proposed development and a letter of objection was sent to Hertsmere Borough Council, together with a copy of the report of David Lane. A copy of the objection letter by Aldenham Parish Council is enclosed in **Appendix 1** and the report by David Lane is enclosed in **Appendix 2**.
- 1.3** Following Hertsmere Borough Council's refusal of permission, this appeal was lodged and Aldenham Parish Council have been granted rule 6 status. HCUK Group have been instructed to represent Aldenham Parish Council for this appeal.

Evidence

- 1.4** Valerie Scott BSc (Hons), MCD, MRTPI, who is the Principal Planning Consultant of HCUK Group, will be preparing a written proof of evidence in advance of the Inquiry to address the main matters of concern of Aldenham Parish Council. As part of her evidence she will also be referring to a written statement on heritage matters to be prepared by Dr Jonathan Edis, BA (Hons), MA, PhD, MCIfA, IHBC, who is a Heritage Director of HCUK Group and a written statement on landscape matters to be prepared by Claire Browne, BSc (Hons), DipLA, CMLI, who is the Landscape Director of HCUK Group.
- 1.5** Should any other matters be raised by the Appellant, by Hertsmere Borough Council or by other third parties, Aldenham Parish Council may seek to provide additional evidence or introduce additional witnesses.

2. Site and Surrounding Area

- 2.1** The appeal site is located in an area of gentle undulating open countryside between Radlett to the north, Borehamwood to the east, Elstree to the south and Watford to the west. The site is wholly within part of the Green Belt, which lies immediately north of the Metropolitan Urban Area of London but within the M25 corridor.
- 2.2** The site comprises three parcels of agricultural land, one lying to the east of Aldenham Road and to the north of Butterfly Lane and the other two parcels located either side of Hilfield Lane and surrounding the Elstree Electricity Transforming Station.
- 2.3** All the land is in agricultural use, mainly for arable purposes, and in particular for the growing of wheat and barley.
- 2.4** The rural villages of Patchett's Green and Letchmore Heath and site of Aldenham School lie immediately to the north of the site and the Haberdashers' Boys' School and Haberdashers' Girls' School lie immediately to the south. Also lying to the south of the site is the London Elstree Aerodrome used for private planes and helicopters, Hilstead Park Reservoir and Aldenham Country Park.
- 2.5** The area is a popular place for walking and some of the public rights of way (PROW) are also available for use by cyclists and horse riders.
- 2.6** There are 40 listed buildings within a 1km distance of the site. However, those which are particularly close and where there is possibility of there being an impact on their setting are listed below:
- Aldenham House and stable block (Grade II*, list entry no: 1346891).
 - Aldenham House Registered Park and Garden (Grade II, list entry no: 10000902).
 - Penne's Place Moated Site (Scheduled monument, list entry no: 10130002).
 - Slade's Farmhouse (Grade II, list entry no: 1103614).
 - Hilfield Castle (Grade II*, list entry no: 1103569).
 - Hilfield Castle Gatehouse (Grade II, list entry no: 1346907).

- Hilfield Castle Lodge (Grade II, list entry no: 1103570).
- School House (Grade II, list entry no:1103646).

2.7 A plan showing these PROW and the siting of the heritage assets in close proximity to the site is enclosed at **Appendix 3**.

2.8 As stated above the appeal site is wholly within the Green Belt. Other designations on the site and on adjacent land are as follows:

- Hilfield Park Reservoir (Local Nature Reserve and Local Wildlife Site)
- Aldenham Country Park, land off Dagger Lane (Local Wildlife Site).
- Haberdashers School, land off Butterfly Lane (Local Wildlife Site).
- Little Kendals Wood (Local Wildlife Site).
- Letchmore Heath Village (Conservation Area).

3. Planning History

- 3.1** The following planning history is relevant to the determination of this appeal.
- 3.2** 18/1587/OUT – Outline application for the development of an energy storage system for a temporary period of 20 years from date of first import/export of electricity to include a battery storage compound, electricity compound, fencing, underground cabling and other associated works, hedgerow and tree planting and new access from Hilfield Lane. The site was a compound adjacent to Hilfield Farm.
- 3.3** The application was refused planning permission on 28th May 2019. The reasons for refusal were inappropriate development in the Green Belt, that very special circumstances had not been demonstrated to justify it, and some trees would have been lost.
- 3.4** APP/N1920/W/19/3240825 – Appeal against the refusal of planning permission. This was dismissed on 23rd March 2020. This will be referred to in HCUK Group’s Planning Proof of Evidence on behalf of Aldenham Parish Council.
- 3.5** A request for a screening opinion (Environmental Impact Assessment) for a proposed solar farm and battery storage facility was made to the Council. A response was given on 11th September 2020. However, the only topic that the Council advised must be covered by the EIA would be aviation safety.
- 3.6** Aldenham Parish Council will question why the Council did not require other matters such as a landscape visual impact, impact on the setting of heritage assets and impacts on the public footpath network as part of the planning, heritage and landscape evidence to be prepared for this Inquiry.
- 3.7** It is understood that the Appellant did have pre-application meeting(s) with officers of the local planning authority prior to the submission of the instant application. A request has been made to view the pre-application planning advice given to the Appellant prior to the application submission but at the time of preparing this Statement of Case this advice had not been provided. Aldenham Parish Council may seek to comment further when a copy of the pre-application advice provided by officers is provided.

4. Proposed development

4.1 The planning application was described as:

"Installation of renewable led energy generating station comprising ground-mounted photovoltaic solar arrays and battery-based electricity storage containers together with substation, inverter/transformer stations, site accesses, internal access tracks, security measures, access gates, other ancillary infrastructure, landscaping and biodiversity enhancements."

4.2 Planning permission is sought to provide solar arrays together with associated battery storage containers, a substation and an inverter/transformer station over a site area of some 130 hectares split into three parcels; an eastern parcel lying to the east of Aldenham Road and two other parcels on the western side of the site, located either side of Hilfield Lane. A connecting corridor to be used for an underground electricity cable joins the eastern and western sides.

4.3 The built development would cover 85 hectares of land. In addition to the fixed 3m high, 31m wide solar panels occupying 20 parcels of land, there would also be some 3,000 cu.m. of built development in the form of 136 shipping containers. Of these 116 would be located throughout the site, with the balance of 20 in a storage area to the rear of the Elstree National Grid Substation.

4.4 Further floor space would comprise a substation, with a volume of 289 cu.m. and height of 4.2m. and a control room with a volume of 94 cu.m. and height of 3.9m. This provides a total of 3,400 cu.m. of additional built development in addition to the solar panels.

4.5 The site and those public rights of way (PROW) that run through the site would be enclosed by 2.2m high, welded mesh fencing on timber posts. A buffer offset/stand off of at least 5m either side of a PROW would be provided.

5. Policy Context

5.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the development plan unless other material considerations indicate otherwise.

The Development Plan

5.2 The statutory development plan includes the following relevant documents:

- Hertsmere Local Plan Core Strategy (adopted 2013);
- Hertsmere Local Site Allocations and Development Management Policies Plan (adopted 2016);
- Hertsmere Local Plan 2012-2027 Policies Map (November 2016);

5.3 There are no Neighbourhood Plans which cover the area of the appeal site. However, the Radlett Neighbourhood Plan prepared by Aldenham Parish Council and adopted in May 2021, covers the town of Radlett and its hinterland coming as close as 400m to the north of the site.

National Guidance

5.4 Other materially relevant policy documents for the consideration of the proposed development are as follows:

- The National Planning Policy Framework 2021 (NPPF);
- The National Planning Practice Guidance (NPPG);
- The National Design Guide and National Model Design Code (2021);

5.5 Also of relevance to the consideration of the appeal is the national guidance in relation to tackling climate change and accelerating the nation's path to net zero. This includes the Government's Ten Point Plan for a Green Industrial Revolution.

Supplementary Planning Guidance

5.6 The following supplementary planning guidance, documents and advice are also relevant for the consideration of this appeal:

- Hertfordshire Landscape Character Assessment: Hertfordshire (2000);
- Biodiversity Trees and Landscape SPD;
- GreenArc Strategic Green Infrastructure Plan (2011);
- Hertsmere Borough Green Infrastructure Plan (2011);
- Hertsmere Climate Challenge and Sustainability Action Plan (October 2020);
- Hertsmere Climate Change and Sustainability Interim Policy Position Statement (2020);
- Agricultural Good Practice Guidance for Solar Farms.

5.7

The decision maker is also required by Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Area) Act 1990 to have special regard to the desirability of preserving a listed building and its setting and to the desirability of preserving or enhancing the setting of a conservation area.

Hertsmere Local Plan Core Strategy (adopted 2013)

5.8

The policies of the Core Strategy that are particularly relevant to this appeal in relation to the concerns of Aldenham Parish Council are as follows:

- SP1 Creating sustainable development
- SP2 Presumption in Favour of Sustainable Development
- CS12 The Enhancement of the Natural Environment
- CS13 The Green Belt
- CS14 Protection or enhancement of heritage assets
- CS15 Promoting recreational access to open spaces and the countryside
- CS16 Environmental impact of development
- CS17 Energy and CO2 Reductions
- CS22 Securing a high quality and accessible environment

Site Allocations and Development Management Policies Plan (adopted 2016)

5.9

The policies of the Site Allocations and Development Management Policies Plan (SADMPP) that are particularly relevant to this appeal in terms of the concerns of Aldenham Parish Council are as follows:

- SADM10 Biodiversity and Habitats
- SADM11 Landscape Character
- SADM12 Trees, Landscaping and Development
- SADM13 The Water Environment
- SADM14 Flood Risk
- SADM15 Sustainable Drainage Systems
- SADM16 Water Courses
- SADM17 Environmental Pollution and Development
- SADM21 Hazardous Substances
- SADM22 Green Belt Boundary
- SADM24 Key Green Belt Sites
- SADM26 Development Standards in the Green Belt
- SADM27 Diversification and Development in the Green Belt
- SADM29 Heritage Assets
- SADM30 Design Principles
- SADM34 Open Space, Sports and Leisure Facilities
- SADM40 Highways and Access Criteria for New Development
- SADM 41 Aviation Safeguarding

6. Aldenham Parish Council's Case

Inappropriate development in the Green Belt

6.1 Paragraph 147 of the NPPF states that *"Inappropriate development is, by definition harmful to the Green Belt and should not be approved except in very special circumstances"*. Paragraph 148 of the NPPF which states that *"When considering any planning application, local planning authorities should ensure that substantial weight is given to 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 resulting from the proposal, is clearly outweighed by other considerations"*.

6.2 Whilst the NPPF acknowledges that *"such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources"* (NPPF paragraph 151). Aldenham Parish Council will demonstrate that any such environmental benefits are insufficient to amount to very special circumstances for the following key reasons:

- a. **Harmful effect on the purposes of the Green Belt:** The overall extent of the proposed built development and the significant harmful effects that this will have in relation to the five purposes of the Green Belt, in particular Purpose 1: the check the unrestricted sprawl of large built-up areas: and Purpose 3: to assist in safeguarding countryside encroachment.
- b. **Impact on the character of the landscape:** The appeal site is an area of extreme importance in terms of preventing urban sprawl and enabling people to be able to access and benefit the open countryside. The immense size of the proposed development covering 130 hectares of land will have a significant detrimental impact. The Appellant's Landscape Consultants, LDA Design have prepared a Landscape and Visual Assessment demonstrating that the proposed development will have large adverse effects in the medium term (2-10 years) and medium adverse or large/medium adverse effects in the long term (10-25 years).

Claire Browne, Landscape Director of HCUK Group will be reviewing the LDA Design Landscape and Visual Assessment and providing expert evidence in relation to the impact of the proposed development on the landscape.

- c. **Impact on public rights of way:** The site is crossed by a high number of PROW, providing a valuable recreational asset and linking with important environmental and heritage assets. These have a high value for the purposes of walking, cycling and horse-riding. They would be subject to the large adverse effects found by the Appellant's Landscape and Visual Assessment and arising from the change of views from short and long-distance views of undeveloped open countryside to views of industrial built development covering an area of 85 hectares. Fencing along the footpaths, often on both sides, would give the feeling of being contained, reducing enjoyment and deterring users.
- d. **Impact on the rural economy:** The site comprises 130ha of agricultural land classified as grade 3b (moderate quality). This is a valuable resource, particularly in Hertsmere Borough where there is little grade 1/2 land and for food production. There is no guarantee that the land will be used to graze sheep and, even if there were, grazing by a small number of sheep is no compensation for the huge loss of arable farming land. This is arable/crop displacement rather than a farm diversification scheme. There is no guarantee that the site would ever revert to agricultural use in the future; there would likely be considerable development pressure after its alternative use for 35 years. Soil health could be improved without the intervening use of a solar farm.
- e. **Lack of consideration of alternative sites:** It is unclear why consideration was not given to alternative sites that are not in the Green Belt or why consideration was not given to a much smaller solar farm that would have a less detrimental impact. The proposed development is designed to feed directly into the National Grid and the renewable energy which will be provided will have no direct benefit to the local community or Hertsmere Borough Council.
- f. **Impact on long term character of the area:** The planning application itself is not described as temporary, although reference has been made to a 35 year 'operational phase' (the current expected operational life of the solar equipment used), following which it is said the development would be removed and land restored to agriculture. Therefore, there is no guarantee it would not continue to be used as a solar farm with new equipment. Even if there was a condition to stop solar use after 35 years, that cannot be properly described as temporary; for many locals this would be the rest of their lives. After such a long period, there would be

strong case for an application to extend that period or for further built development.

- g. **Impact on wildlife:** Whilst it is accepted that the proposed development will provide a number of benefits in terms of biodiversity Aldenham Parish Council question the impact of having so many fields surrounded by wire fences in terms of the impact on larger mammals such as foxes and muntjac deer whose ability to roam will be significantly affected. The very small opening shown in the security fencing would appear only suitable for very small mammals
- h. **Impact of noise:** Noise could have a significant harmful impact on both walkers and wildlife. The inverter/transformer stations distributed around the fields do not seem to be designed to prevent noise emissions. Although one of the conditions proposed in the officer's delegated report refers to a control in the amount of noise emission, this condition relates only to the possible impact on the occupiers of residential properties.
- i. **Impact on flooding:** The Lead Local Flood Authority have advised that the submitted flood report does not comply with the PPG (as revised 6 April 2015) to the NPPF, and there are potentially many factors that need to be looked into in order to minimise flooding. For example, the effect of substantial soil excavation and replacement with concrete, aggregate and geotextile; calculations regarding the effect of posts, CCTV cameras and road lengths, and substances used to support them; water displacement and surface water overflow. There is clearly a lack of information provided in respect of this matter and the Appellant should deal with the points the Sustainable Drainage Officer has made, for proper assessment.
- j. **Limited public benefits:** The Appellant has put forward various proposed public benefits. Aldenham Parish Council will demonstrate that they do not individually or cumulatively outweigh the harm caused to the impact on the Green Belt or other aspects of harm resulting from the proposed development.

Impact on heritage assets

- 6.3** The Council's second reason for the refusal of planning permission alleges less than substantial harm (paragraph 202 of the NPPF) to five designated heritage assets, namely Slades Farmhouse (listed building, grade II), Hilfield Castle (listed building,

grade II*), Hilfield Lodge (listed building, grade II), Aldenham House Registered Park and Garden (grade II) and Penne's Place (Ancient Monument).

- 6.4** Historic England (letter, 16 February 2021) alleges less than substantial harm to three designated assets, namely Penne's Place (Scheduled Monument), Aldenham House Registered Park and Garden ("Aldenham Park"), and Hilfield Castle (listed building, grade II*). Historic England does not mention Slade's Farmhouse, presumably because it is technically outside their remit, at grade II, but logic would suggest that Historic England would also consider the effect on that building to fall within the meaning of paragraph 202 of the NPPF, since it is closer to the proposed development than Aldenham House Registered Park and Garden.
- 6.5** An agreed position of less than substantial harm to significance has been accepted at an early stage in the proposal. Pre-application advice from Place Services (9 December 2020) referred to a "preliminary heritage assessment" dated 03 August 2020, apparently provided by the then applicant, which concluded that it would be likely that the proposed solar farm would result in less than substantial harm to the significance of Hilfield Castle and Slade Farmhouse due to adverse change within their settings.
- 6.6** Dr Jonathan Edis, Heritage Director of HCUK Group will be providing expert evidence in relation to the impact of the proposed development on these heritage assets. He will, in particular, be stressing the impact on Slade's Farmhouse, where there will be a combination of visual and abstract effects. Reference will be made to points already made by Place Services.
- 6.7** Turning to the western parcel of the proposed solar farm, it is an agreed position that there is less than substantial harm to the setting of Hilfield Castle, which is listed grade II*. The castle is sited in a prominent position to take advantage of views of the surrounding countryside, and it has a clear relationship with its wider surroundings, extending into the appeal site. Dr Edis will be referring to the adverse effect on the setting and significance of this grade II* listed building.
- 6.8** A clear effect of the above nature, on a grade II* listed building engages paragraph 200 of the NPPF, which states that:

“Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;

b) assets of highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I or II listed buildings, grade I or II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.”*

6.9 No party has suggested that there would be substantial harm to the significance of Hilfield Castle, and it may fall into the category of less than substantial harm. However, paragraph 200 of the NPPF points in the direction of harm to grade II* listed buildings being a potentially weighty matter in the balancing exercise.

6.10 It will also be shown that the public benefits to weigh against the harm to these heritage assets falls considerably short of those required to outweigh this harm.

7. Conditions

- 7.1** Aldenham Parish Council generally support the proposed conditions set out in the Council's delegated report. However, Condition 2 which stated that after 35 years "the land shall revert to its former agricultural condition" is to some extent at odds with Condition 3 which requires that "*the land is to be returned to its former condition in a way that would avoid disturbing the biodiversity within the site*".
- 7.2** A large part of the site is shown to be used for uses which would enhance biodiversity such as orchards, grassland, parkland and sites for the planting of wildflowers. These areas of land could not be returned to agricultural use without disturbing their biodiversity.
- 7.3** The condition relating to noise is questioned. It is understood that modern solar farms should not emit any noise or vibrations. However, the potential levels of noise in relation to this proposal are not clear and a much stronger condition to prevent any audible noise is required.

8. Conclusions

- 8.1** The appeal application relates to a proposal to site a 49.9MW solar farm with its attendant structures on a 130ha open site in the Green Belt.
- 8.2** The proposed development is inappropriate development within the Green Belt and by definition will result in harm to the Green Belt and the purposes of the Green Belt, which include the need to prevent unrestricted urban sprawl and to assist in safeguarding countryside encroachment.
- 8.3** Aldenham Parish Council consider that the proposed development will have an extremely harmful impact on the attractive open character of the area. It will also cause visual harm to the character and appearance of the area and to the users of the PROW that cross this site.
- 8.4** The proposed development would also result in harm to the historic character and setting of important heritage assets, in particular the setting of Slade's Farmhouse (listed grade II) and Hilfield Castle (listed grade II*).
- 8.5** In addition, the proposed development would result in the loss of many fields used for arable farming and consequent harm to the rural economy of the area.
- 8.6** Although there are benefits in terms of biodiversity and long term soil health these are not exclusive to the proposals and could be achieved by other means, such that only moderate weight can be applied.
- 8.7** Aldenham Parish Council also consider that only limited weight should be applied to the proposal to provide a facility to provide additional renewable energy. There are other ways to provide renewable sources of energy without causing such significant harm to the Green Belt, impacting so greatly on the landscape and the local community's enjoyment of the open countryside. It will also result in less than substantial harm to the setting of heritage assets, including the setting of a grade II* listed building.
- 8.8** There is no evidence provided to suggest that there are no other sites available, that adjoin or are close to National Grid substations, and which would not result in the amount of substantial harm caused by this development.

8.9

Aldenham Parish Council will conclude that the Appellant has not demonstrated the very special circumstances which would be required to overcome the harm to the Green Belt or sufficient public benefits which would outweigh the less than substantial harm to the setting of heritage assets, including a very important Grade II* listed building.

Appendix 1

*21/0050/FULEI – Aldenham Parish Council Comment
Subheading for Appendix*

We strongly object to this application. As part of our consideration of this application we have had the input and assistance of a planning consultant who has analysed the application. The report from David Lane of DLA dated February 2021, is attached as part of our objection.

In summary the following are identified as grounds for refusal:

1. **Impact on Public Rights of Way.** The proposal will have an undue impact on the users of the Public Rights of Way across the site in question. Point 7.0 (Issue no 2) in the attached report.
2. **The proposals will not aid farm diversification and the rural economy.** This is detailed in section 8.0 (issue 3) of the attached report. The HBC site allocation and development plan 2016 precedes the NPPF by 3 years. Section 8 provides commentary on the soil classification and highlights that the land could be Grade 1 without the soil wetness factor. This could presumably be achieved with better drainage systems. It is also worth pointing out that the applicant hasn't tested the soil in accordance with defra guidelines (1 per hectare not 1 per 4 hectares as the applicant has done). Local knowledge of the intensive level and type of crops grown on large areas of the site would indicate significant areas are at least a Grade 3a classification. As the consultant's report highlights, much land in Hertsmere falls into Grade 3 and land in Grade 3b can be considered to be of moderate sensitivity and a valuable resource.
 - The proposal would reduce the ability of the site to grow crops and over such a large site the proposal would appear to be arable/crop displacement rather than farm diversification.
 - The impact of the proposals will be negligible on the rural economy. 2 maintenance visits per month are not going to generate any benefit.
 - The soil health of the land could be improved by other methods, without the intervening development of the site as a solar power plant.
3. **Inappropriate development in the Metropolitan Green Belt which is not outweighed by other factors.** Section 9 of the attached report highlights why this is so. The applicant admits that the development is inappropriate development. It is worth highlighting the following points:
 - the proposals including 3300 cu.m of buildings, combined with the security fencing of 2.2m must have a substantial impact on and cause significant harm to the openness by reason of its spatial aspect and the industrial nature of the proposed buildings. Consequently, the land would not be kept permanently open.
 - The green belt serves 5 purposes and the land in question scores highly in 'assisting in preventing neighbouring towns from merging' and assisting in safeguarding the countryside from encroachment. The relatively high scores for these factors is indicative of the substantial harm the proposed development would cause.
 - Great emphasis is placed on the theoretical amount of renewable electricity generated in Hertsmere. Most renewable electricity is wind driven and there

is nothing in government policy that requires local planning authorities to be self-supporting in energy production.

- Lack of alternative sites is due to the search being driven by a desire to be within 5km of the Elstree substation is a weak argument. A UK wide search would be entirely appropriate for electricity generation and so little weight can be given to this argument.
- Temporary and reversible impacts is covered by the relevant PPG which recognises that duration of a development and its remediability is a factor to be taken into account. The applicant refers to 'operational' years which means the 35 years is a minimum. **This cannot be considered temporary.**
- Other considerations do not outweigh the totality of the harm caused by the proposals. **Very Special circumstances do not exist and so the application should be refused permission.**

Additional points raised by APC

1. Public consultation - this has been totally inadequate and disingenuous. To move a significant application such as this during the Covid pandemic when the public cannot be fully and properly engaged is totally unreasonable and taking advantage of the situation. Zoom presentations such as that given to APC lacked detail on the installation and impact on PRow. Many of the public will have been unable to access such meetings even if they knew about them. One public Zoom presentation was insufficient especially when much of the Parish was not made aware. The applicant advises it dropped leaflets to 500 households. Strangely none of these were to residents of Radlett, not even those backing onto fields overlooking the site. Presumably this was to avoid attention being drawn to the proposals and limiting public dissent. This application should have waited until public meeting could be held and the wider public engaged. As such very little weight can be given to the quantum of feedback from such limited public consultation. The level of objections generated to date by the application is a better indication of public feeling and no doubt with proper public engagement the level of public dissent will be much greater

2. It is clear from various research that solar panels in the UK climate are an inefficient way to produce electricity and presumably why the UK government has placed emphasis on wind power. The government paper produced in November 2020 titled 'Ten Point Plan for a Green Industrial Revolution' makes no mention of the use of solar power. Point 9 covers 'Protecting our natural landscapes' and Point 10 'Green Finance and Innovation', highlights ten priority initiatives for the new net zero fund to invest in which does not include solar.

[Website for government 10 POINT PLAN BOOKLET.pdf](#)

The applicant states in the environmental statement (non-technical) 3.3 The Proposed Development "It proposes the use of the best available technology, delivering greater levels of solar efficiency by utilising bifacial panels which increase continuous electrical productivity by 4% when compared to traditional monofacial systems".

However, this application uses fixed panels without tracking which is cheaper and **is not the best technology.** The most efficient capture of solar energy is

dependent on the solar panel tilt to be perpendicular to the sun at all times. Fixed systems fail to achieve this due to the shifting positioning of the sun at different times of the day and per season.

[Website link to information on solar panels](#) panels

3. Footpaths and Bridleways. We have noticed that not all footpaths have been included in the proposals. For example, the historically established route across field 12 has been omitted, no doubt so the whole field can be covered in panels. This is a well-established route used by many locals.

4. Visual impact seems to have been assessed from only 12 points over the 300 acres. This is totally inadequate and has excluded some key vantage points, for example along the heavily used Footpath 17 leading from Batlers Farm to Watling street.

5. The impact of noise from plant and equipment will be significant to both walkers and wildlife. The inverter/transformer stations distributed around the fields do not seem to be designed to prevent noise emissions.

6. The impact on wildlife has been referred to but it doesn't take into account larger mammals such as foxes/muntjac deer whose ability to roam will be significantly affected. The security fencing as shown on the plans would not allow anything other than small creatures such as mice to pass through. The plans mention larger entrances being made in the fencing as required but an inadequate provision.

7. In assessing the environmental benefits of solar panels, the life cycle should be looked from how and where they are manufactured to the cost and impact of decommissioning.

8. The prospect of the land be returned to agricultural use after a minimum of 35 years will be negligible. Who will enforce or recall such a planning condition, the costs of decommissioning will most likely far outweigh future income flows from growing crops. In effect building this solar power plant will result in 300 acres of green belt being turned into industrial land.

9. The proposals do not consider the fact that a large area of land between Watling street and common lane is currently being considered by Hertsmere for land allocation to housing. The proposal known as R2 will mean further green belt being swallowed up alongside this scheme.

10. The Solar Plant will have a negative effect on the five Schools which surround this green belt land. In particular, The Haberdashers' Aske's Boys School, The Haberdashers' Aske's School for Girls and Aldenham School all of which use this open space for recreation including the likes of cross-country and Combined Cadet Force activities. The possible continuous hum from the equipment and heat that the solar panels would generate could also be considerable for the many thousands of children that attend these Schools. Furthermore, the fact that the visual impact will change so dramatically from the

openness of the green belt which it is now, to what amounts to a fenced industrial site, is unacceptable.

11. The proposals are in breach of the Radlett neighbourhood plan policy GA1 Walking and Cycling Networks as 'Development that reduces the quantity, functionality and/or quality of walking and cycling networks would not be supported'.

12. The Lead local flood authority comments say that the submitted flood report does not comply with the PPG (as revised 6 April 2015) to the NPPF, and there are potentially many factors that need to be looked into in order to minimise flooding. In order to overcome an objection, the applicant should have to deal with the points the Sustainable Drainage Officer has made, for proper assessment. It mentions water displacement and surface water overflow, and how the information in the application is lacking and could affect flooding. There is a blatant omission of number of posts, CCTV cameras & road lengths on the site and calculations regarding these and the volume of the substances used to support them which would affect flooding on & around the site. The volume of concrete for one CCTV support is 60X45xx45 cm³. From a chart obtained from Peter Elms from Alpaca, the total length of internal roads on site will be 3375.35m approx. 2 miles. From drawing Hf5.0 we can work out the maximum volume to be excavated - W 3.5-6m x D .8m x L 3375.35m =16,200 m³, which is larger than 6 Olympic swimming pools. This soil will be excavated, disposed of and replaced by concrete, aggregate and geotextile. This fact alone will have an effect on water displacement, drainage and overflow.

13. Elstree Green have applied to the National Grid for not only 49.9MW in 2025 but a further 7.1MW in 2027 showing the cumulative total capacity to be 57MW. There are screen shots and links below showing this.

[Website link to National Grid register](#) register

Presumably this because the applicant does not want the application to go straight the Secretary of State. Where will the addition of 7MW be or will it be in a new field, and where is that? This needs to be answered? This approach compounds the disingenuous nature of the application.

14. With this application for inappropriate development in the Green Belt, clearly not meeting the high levels of justification required to show the 'very special circumstances' needed to develop such a scheme in the Greenbelt; Hertsmere must not allow this scheme to proceed. If they do it will breach their and government policies and create precedent for the rest of the Metropolitan Green Belt and elsewhere to be destroyed in a similar manner.

Appendix 2

Planning Report of David Lane, DLA



Planning Report of David Lane BSc (Hons)
Dip TP, DipTP, MRTPI, FRSA

Proposed Solar Farm and Battery Storage

Hilfield Farm, Radlett

LPA Ref: 21/0050/FULE1
DLA Ref: 21/047

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1.0 INTRODUCTION

1.1.0 Background

1.1.1 This report relates to a proposed solar farm at Hilfield Farm, Radlett. In part using documentation submitted by the Applicant, the report describes the site and proposals, sets out the primary national and local planning policies, examines the planning issues and then sets out conclusions with a recommendation.

1.3.0 Summary

1.3.1 In summary the report concludes that the proposal would cause harm to the openness and purposes of the Green Belt, which defined harm, in carrying out the required balancing exercise is not outweighed by other considerations. Consequently, very special circumstances do not exist and the application should be refused planning permission. In addition harm will be caused to users of the footpaths that cross the site. These constitute sound and clear cut reasons to refuse planning permission.

2.0 SITE & SURROUNDING AREA

2.1. The application site is located in open countryside between Radlett to the north, Borehamwood to the east, Elstree to the south and Watford to the west. It is split into two parcels totalling some 130 hectares. The western parcel is contained by the A41 to the west and Elstree Aerodrome to the south. The eastern parcel abuts Watling Street to the east and Butterfly Lane to the south.

2.2 The land is agricultural in character and variously described in the application documents as:

"...within an agricultural landscape..."

"The site is semi-suburban in character..."

(Planning Statement)

"...semi-rural in character with some localised intrusion of man-made features."

"...wholly comprises.....agricultural land..."

(Design and Access Statement)

2.3 The Applicant's Planning Statement analysed the impact on the Green Belt and references the Hertsmere Borough Council Green Belt Assessment 2017, the application site falling within Green Belt Parcels 9 and 19. This assessment notes that approximately 7% and 3% respectively of the Parcels are covered by 'built form'.

3.0 RELEVANT PLANNING HISTORY

- 3.1 **Central Government Policy.** The main plank of Government planning policy is the National Planning Policy Framework February 2019 (NPPF). Of particular relevance to the proposals are Section 13: Protecting Green Belt land and Section 14: Meeting the challenge of climate change, flooding and coastal change.
- 3.2 **The Development Plan.** This comprises the Hertsmere Core Strategy 2013, with Policy SF1 – Creating sustainable development, and Policy CS13 – The Green Belt, of particular relevance to the proposals.

4.0 THE PROPOSALS

- 4.1 The application seeks to provide a solar array together with associated battery storage containers, a substation and an inverter/transformer station over a site area of some 130 hectares split into two parcels.
- 4.2 **Temporary Development.** Whilst the description of the development makes no reference to the development being temporary, the supporting documentation refers to a 35 year ‘operational phase’, following which the development would be removed and the land restored to agriculture.
- 4.3 **Rational for the siting.** The application site was chosen due to its proximity to the National Grid Elstree Substation, which *“avoids considerable delay in receiving both the connection with the Distribution Network Operator (and) land (ownership).”*
- 4.4 **Dual Use.** The proposal would provide *“...the potential for low intensity sheep grazing.”*
- 4.5 **Built Development.** In addition to the 3m high, 31m wide, solar arrays, there would be some 3,000 cubic metres of built development in the form of 36 shipping containers. Of these, 16 would be located throughout the site, with the balance of 20 in a storage area rear of the Elstree National Grid Substation.
- 4.6 Further floorspace would comprise a substation of 289cu.m., 4.2m high and a control room of 94cu.m, 3.9m high. This provides a total of some 3,400cu.m.
- 4.7 **Fencing.** The site and those public rights of way (PROW) that run through the site would be enclosed by 2.1m high, welded mesh fencing on timber posts. A buffer offset/stand off of at least 5m either side of a PROW would be provided.
- 4.8 **Biodiversity Gain.** As part of the proposals there would be over 7.5ha of grassland and flower planting; 6.7ha of low intervention skylark habitat; 2ha of parkland; two nature areas; and 2.4km of green corridor. The applicant estimates an increase in habitat biodiversity of 40% and in hedgerow biodiversity of 23%.
- 4.9 **New Permissive Path.** 578m of permissive path would be provided linking to the Hertfordshire Way and providing an alternative route around Belstone Football Club’s pitches.
- 4.10 **Construction Access.** This would be from the M1 Junction 5 and the A41, and so onto the road network of Aldenham Road, Butterfly Lane, Dagger Lane and Sandy Lane.
- 4.11 **Maintenance.** Once operational, there would typically be two maintenance visits per month in a small van or car.
- 4.12 **Carbon Reduction.** The proposal would provide some 50MW of power each year of generation to the National Grid, the equivalent of the annual electrical needs of some 15,600 family homes, and representing an emission saving equivalent to a reduction of 8,100 cars

on the road every year. It is estimated that the solar farm would increase the total amount of renewable electricity generated in Hertsmere from 5.4% to 20%. (Ofgen calculates that, in Quarter 3 of 2020, 40% of the electricity supply within the UK was produced by renewables, mainly driven by high volumes of wind generation.)

5.0 PLANNING CONSIDERATIONS

5.1 In the context of the NPPF and development plan, I consider that this application raises the following issues:

1. Would the proposal have an undue impact on the character of the landscape in the area?
2. Would the proposal have an undue impact on users of the Public Rights of Way which cross the site?
3. Would the proposal aid farm diversification and the rural economy?
4. As inappropriate development in the Metropolitan Green Belt, are there other considerations which outweigh the defined harm and any other harm.

Taking each in turn below:

6.0 **Issue 1. Would the proposals have an undue impact on the character of the landscape in the area?**

6.1 The application site comprises 130ha of open agricultural land located between Watford, Borehamwood and Radlett. Whilst there is some urban influence, given this location and proximity to London, the site remains open. By proposing its development for a solar park, there must be some impact on the wider landscape. Impact from within the site on the users of the PROW that cross the site is dealt with in Issue 2 below.

6.2 **The Applicant's case.** The character of the application site is described by the Applicant as *"...semi-rural in character with some localised intrusion of man-made features."* In respect of this degree of urban intrusion reference is made to the HBC Green Belt Assessment 2017 wherein the wider Parcels of land containing the application site were estimated to be *"approximately 7% and 3% respectively covered by 'built form'"*.

6.3 Against this backdrop the Applicant's landscape consultants used and an industry standard tool, a landscape visual impact assessment (LVIA) to analyse the visual impact of the proposals on the character of the landscape, noting there were no landscape designations that could be affected by the proposal.

6.4 In respect of receptors, i.e. viewers of the proposal from a maximum of 2km outside the site, the consultants noted that the arrays had been set back from these receptors and would be screened by existing and proposed vegetation.

6.5 In terms of the magnitude of effect, this was assessed against a range of impacts set out in the LVIA as follows:

- Large - total or major alteration of views
- Medium - partial alteration to key elements
- Small - minor alteration to key elements
- Negligible – very minor alteration to key elements

It was concluded that, in the medium term, i.e. 2 - 10 years, for views from the following locations the magnitude of change would be:

1. Hilfield Lane - Medium
2. Letchmore Heath - low/Negligible
3. Bushey - Negligible
4. Butterfly Lane - Medium
5. Aldenham Road – Medium
6. Watling Street - Medium

6.6 In the longer term i.e. 10 – 25 years, the magnitude of change effect is Low (Small) or Negligible. In terms of the significance, i.e. importance, of the effect on the view, this is a factor combining the Magnitude of Effect with the Sensitivity of the particular landscape, which, in the case of the application site, does not have any protected landscape designation, and so provides a Significance in the long term of Moderate from Hilfield Lane to Slight for the remaining viewpoints.

6.7 Consequently, the landscape consultants were able to conclude that, whilst there would be an adverse impact on the landscape resulting from the proposal:

“For visual receptors in the immediate vicinity of the site, (i.e. within 150m), effects would range from Moderate to Slight Adverse”,

“All other visual receptors would experience Negligible visual effects.”

6.8 **An analysis of Issue 1.** The application proposes to site 3m high by 31m wide solar arrays, 36, 2.9m high containers and two other 4.2m high buildings in various locations on 130ha of agricultural land, located within the Borehamwood Plateau Landscape Character Area (LCA) of the Hertfordshire Landscape Assessment. The application site forms an area of relatively flat land within this large swathe comprising the plateau. The site has a gently undulating character of agricultural fields to the eastern parcel, with the western parcel having a bowl-like landform as it rises up to Elstree Aerodrome. This landform, as it is not overlooked from higher ground, and the existing screening serve to limit views into the application site.

6.9 The application proposals would not result in the loss of any existing hedgerows or individual trees, and would be enhanced with new planting and/or a relaxation of the existing management regime.

6.10 Given the small scale and mass and the relatively low height of the proposals and their dispersal throughout the site, with existing and proposed landscaping restricting views from the wider area, I consider that the landscape consultants are right to conclude that, whilst the

proposals would by definition have an adverse visual impact, the significance of the impact on viewers within 150m of the site would range from Moderate to Slight Adverse but beyond this all other viewers would experience Negligible visual effects. Consequently, I consider only limited visual harm would be caused to the Green belt.

7.0 **Issue No 2: Would the proposal have an undue impact on users of the Public Right of Way that crosses the site?**

7.1 **The Applicant's Case.** The existing network of Public Rights of Way (PROW) that cross the application site would be retained, with an additional 578m of new permissive paths. The PROW would be contained within 2.1m high, welded mesh fencing on timber posts. A buffer offset/stand-off of at least 5m either side of a PROW would be provided.

7.2 The Landscape and Visual Impact Assessment (LVIA), in respect of eight viewpoints from PROW within the site, notes at Table 2: Viewpoint Scale of Effect and the supporting text, that there would be:

- Large Adverse Effects in the Medium Term (2-10 years), and
- Medium Adverse Effects, Large/Medium Adverse and Large Adverse Effects in the Long Term/Semi-Permanent (10-25 years at least)

to all but Footpath Aldenham 40, where the Long Term/Semi-Permanent effect would be Small Adverse. These values reflect the fact that:

“Given these routes are within the Site, the recreational experience from these would change substantially, with undeveloped agricultural fields replaced by built development.”

A high magnitude of change is anticipated resulting in Major – Moderate and Adverse effects.

7.3 **The sensitivity of PROWs.** Given the location of the site close to the urban settlements of Watford, Radlett and Borehamwood, these PROW can be expected to offer a valuable recreational asset to their populations, which I consider increases their sensitivity to adverse effects.

7.4 **Analysis of Issue 2.** The Applicant's very fairly accept that for users of the PROW which run through the application site there would be a Large Adverse visual effect in the medium term, 2 – 10 years, and for Footpath Aldenham 40, Medium, Large/Medium and Large Adverse visual effect thereafter. This adverse visual impact arises from the change in views from *‘undeveloped agricultural fields being replaced by built development’*, the PROW running between 2.1m high fencing set 5m back from the footpath. Even when landscaped, this channelisation would reduce the recreational value of these routes. This is particularly pertinent given the proximity of the site to neighbouring towns and villages, whose residents no doubt value this network of footpaths.

7.5 Furthermore, the result of fencing the footpaths would not be limited to a visual impact. High fencing can give a perception of being contained, which is not conducive to the enjoyment of the open countryside. Also, with no ‘escape’ route available, this can be daunting for lone walkers, making the use of the footpath a potentially uncomfortable and unpleasant experience, one to be hurried. This could possibly lead to an alternative route

being chosen, if such is available in this urban edge location, or result in people being deterred from walking at all.

- 7.6 In combination I consider these two factors of visual harm and the containment of the PROW within high fences would have an adverse impact on the recreational value of these highways. Great weight should be placed on this harm.

8.0 **Issue 3. Would the proposal aid farm diversification and the rural economy?**

8.1 **The Applicant's Case.** The Applicant argues that the proposal would aid farm diversification and the rural economy. The NPPF at paragraph 83b, and the development plan, encourage *"diversification of agricultural and other land-based rural businesses"* which is *"sensitive to its surroundings"* and *"also encourages the use of previously developed land"*.

8.2 As accepted by the Applicant, the use would relate to 130ha of agricultural land divided into 20 fields and currently used mainly for production of arable crops. Should the application scheme proceed, development would be reversible, allowing the agricultural use to recommence at a later date. During the period the development was operational, the Applicant considers that the soil health and soil organic carbon can be improved through land use change from *"intensive arable to grasslands"*. Once developed, the Applicant notes the potential for low intensity sheep grazing.

8.3 Agricultural land can be graded from Grade 1 – Excellent to Grade 5 – very poor, with Grade 3 subdivided into Grade 3a – good quality and 3b – moderate quality.

8.4 The NPPF at paragraph 170 under Section 15: Conserving and enhancing the natural environment, refers to the need to protect soils in a manner commensurate with their quality identified in the development plan and Footnote 53 to paragraph 171 states:

"Where significant development of agricultural land is demonstrated to be necessary, areas of poor quality land should be preferred to those of a higher quality".

8.5 The HBC Site Allocation and Development Plan (SADMPF) adopted 2016, at Policy 17: Diversification and Development supporting the Rural Economy, states that

"Proposals for the diversification of farm enterprises.....will be permitted provided:

(i) The site is of lower agricultural land grade (i.e. Grade 3b, 4 or 5 or non-agricultural)"

This document precedes the NPPF by 3 years.

8.6 The Applicant's agricultural land classification consultants have graded the application site as Grade 3b, i.e. moderate quality agricultural land. (This is defined by the Government as:

"land capable of producing moderate yields of a narrow range of crops, principally:

- *Cereals and grass*
- *Lower yields of a wide range of crops*
- *High yields of grass which can be grazed or harvested over most of the year."*)

8.7 The Applicant's consultants note that:

"the land classified as Subgrade 3b is limited entirely by soil wetness" and that:

"agricultural land at the site could be graded as high as Grade1, in the absence of any other limiting factor".

- 8.8 **The amount of high-grade agricultural land in the Borough.** Based on the Natural England Agricultural Land Classification Maps, Hertsmere Borough has very little Grade 1 and 2 (excellent/good) land, the bulk being either Grade 3 or 4 (moderate/poor) land. Consequently, where most of the agricultural land is not of a high grade, even land in 3b can be considered to be of moderate sensitivity i.e. a valuable resource. Conversely, in areas where high grade land is not uncommon, Grade 3b land could be considered to be of low sensitivity.
- 8.9 **The capacity of the site to accommodate grazing sheep.** The Applicant acknowledges that the site has the potential for low intensity sheep farming. The Building Research Establishment (BRE) document 'Agriculture Good Practice Guidance for Solar Farms 2014' provides a guide of between 4 and 8 sheep per hectare and noted that this was similar to stocking rates on conventional grassland. This provides notional capacity of some 1000 animals.
- 8.10 **Continued input into the rural economy from the solar farm.** Putting aside any financial contribution to the farmer from the solar array and the grazing of a flock of some 1,000 sheep, the Applicant notes that the site will generate 2 maintenance visits per month.
- 8.11 **Analysis of Issue 3.** Considering the proposal in the light of paragraphs 8.1 to 8.10 above, I consider that the following can be seen:
- 8.12 **The proposals would reduce the ability of the site to grow crops.** The scheme would take out of production 130ha of arable land and potentially use it to graze sheep. Over such a large site this would appear to be arable/crop displacement rather than farm diversification.
- 8.13 Whilst the applicant proposes the grazing of sheep on the land once the scheme is implemented, the phrase 'potential' is used, i.e. there is no guarantee.
- 8.14 The applicant makes much of the fact that the land is Grade 3b and so not of the best and most versatile quality. However, as noted above, even Grade 3b land is of moderate quality and capable of providing moderate yields of cereals and high yields of grass. As much of the agricultural land in the Borough is of Grade 3 quality, its agricultural value should not be dismissed on this basis alone.
- 8.15 **Following installation of the solar array it will provide negligible benefits to the wider rural economy.** Putting aside the payment to the landowner and the income from the potential to graze sheep, the Applicant states that the solar farm would be visited no more than twice a month for routine maintenance. Even assuming these visitors buy food/fuel in the locality, the continuing financial benefit to the rural economy would be negligible from this very low level of activity.
- 8.16 **The soil health of the land could be improved by other methods.** The applicant maintains that on agriculture recommencing once the array etc. is removed, the soil health and soil organic carbon would have been improved through land use change from arable to grassland. However, soil health could be improved without the intervening development of the site as a solar farm.

8.17 Consequently I consider only limited weight can be given to farm diversification as a rationale for allowing the solar farm to proceed.

9.0 **Issue 4. As inappropriate development in the Metropolitan Green belt, are there other considerations which outweigh the defined harm and any other harm?**

9.1 The starting point to consider any scheme within the Green Belt is: Does the proposal fall within the defined number of developments considered to be 'not inappropriate' or is it considered to be inappropriate? If considered to be not inappropriate there is no need to carry out a Green Belt balancing exercise or consider very special circumstances (VSC). However, in this case the Applicant has accepted that the proposal is inappropriate development and so the following must be considered:

1. The effects on the openness and Green Belt function of the land.
2. Would there be any other harm i.e. non-Green Belt factors, for example character and appearance, that weigh against the development?
3. Are there any 'other considerations' which would weigh in favour of it?
4. If 'other considerations' exist, do they clearly outweigh the harm to the Green Belt, and any other harm? This is the balancing exercise.
5. If 'other considerations' outweigh the harm, do VSC exist?

9.2 **Very special circumstances.** VSC do not need to be unique but exist where potential harm to the Green Belt by reason of inappropriateness and any other harm resulting from the proposals are clearly outweighed by other considerations. (Paragraph 144 of the NPPF).

9.3 **Green Belt openness.** This is the most important attribute of a Green Belt, keeping land permanently open. The openness of a Green Belt has a spatial as well as a visual aspect. Consequently, the absence of visual intrusion does not in itself mean there is no impact on the Green Belt. Whilst development not involving the construction of new buildings may not impact on the spatial aspect of the Green Belt, it could well have an adverse visual impact. This impact could also relate to the purpose of a building. There is a need therefore to separate out an assessment of any effects on openness from any assessment of effects on character and appearance.

9.4 The National Planning Policy Guidance (PPG), which supplements the NPPF, states that in making an assessment on openness, one factor to be taken into account is "*the duration of the development and its remediability...*". Consequently, whilst inappropriate development would still cause substantial harm to the Green Belt, the degree of any other harm could potentially be reduced if the proposal were temporary.

9.5 **The purposes of the Green Belt.** It serves 5 purposes:

1. to check the unrestricted sprawl of large built-up areas;
2. to prevent neighbouring towns merging into one another;
3. to assist in safeguarding countryside encroachment;

4. to preserve the setting and special character of historic towns; and
5. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

9.6 **The Applicant's case.** Having accepted that the proposals are defined as inappropriate development, the applicant promotes the development on the basis that very special circumstances (VSC) are present which outweigh the defined harm and any other harm. That part of the NPPF relating to Green Belt, at paragraph 147, states that:

"... very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources".

9.7 In respect of openness, the applicant prays in aid that the development is not intended to be permanent and would be reversible, with a *"... lifetime of 35 operational years."*

9.8 In respect of any visual impact, the applicant considers the site to be visually well contained by existing vegetation and this will be strengthened as part of the proposals.

9.9 VSC are put forward by the applicant as follows:

1. Increasing renewable energy generation.
2. Climate emergency.
3. Energy security.
4. Best available technology.
5. Good design.
6. The lack of alternative sites.
7. Temporary and reversible impacts.
8. Biodiversity net gain.
9. Soil regeneration.
10. Green infrastructure.
11. Farm diversification.
12. Transmission/distribution connection.

- 9.10 **An analysis of Issue 4.** Given that the Applicant has very fairly accepted that its proposal is by definition inappropriate development, then the harm to the Green Belt must be substantial and carries great weight in the balancing exercise.
- 9.11 **What is the impact of the proposal on openness?** The site of 130ha, of open agricultural land, would become a solar farm with rows of arrays 3m high, located 3m to 4.5m apart, 36 containers each 2.9m high, two other buildings at 4.2m high and measuring 3,300cu.m. in total, located in 17 locations across the site. This degree of development, combined with the 2.1m high security fence, must have a substantial impact on, and cause significant harm to openness by reason of its spatial aspect and the industrial nature of the proposed buildings. Consequently, the land would not be kept permanently open. This degree of harm must carry significant weight.
- 9.12 **What is the impact of the proposal on the purposes of the Green Belt?** The Applicant's Planning Statement refers to the HBC Green Belt Assessment 2017 and Parcels 9 and 19 within which the application site falls.
- 9.13 In respect of Parcel 9, the westernmost parcel adjoining the M1, it provides a score of 3 out of 5 for Purpose 2: to prevent neighbouring towns from merging and Purpose 3: to assist in safeguarding the countryside from encroachment.
- 9.14 In respect of Parcel 19, the easternmost parcel abutting the southern edge of Radlett and adjoining Watling Street, it has a 3 out of 5 score for Purpose 2 and 5 out of 5 for Purpose 3.
- 9.15 I consider these relatively high scores are indicative of the substantial harm the proposed development would cause to these two purposes, which should carry significant weight in carrying out the balancing exercise.
- 9.16 **Is there any non-Green Belt harm?** I have dealt with the visual impact of the proposal on the character of the landscape in the area and users of the PROW that cross the site under Issues 1 and 2 above. I have shown that there is limited harm to the wider landscape but that there is significant harm to users of the PROW.
- 9.17 **Are there other considerations which might weigh in favour?** The applicant has put forward a number of other considerations which it says weigh in favour of the proposal. I will take each in turn below:
- 9.18 **Increased renewable energy/climate emergency/energy security.** Great emphasis is placed upon the amount of renewable electricity generated in Hertsmere, increasing as a result of the proposal from 5.4% to 20%, so approaching the national average of 40%. However, and given that most renewable electricity generation is wind driven, there is nothing in Government policy that requires Local Planning Authorities to be self-supporting in energy production. Consequently, I consider very little weight can be placed on this consideration.

- 9.19 **Best available technology/good design.** I cannot comment on the proposed technology but this still relies on 3,300cu.m. of buildings and arrays of solar panels. Consequently, I consider that carries very little weight.
- 9.20 **The lack of alternative sites.** The search was driven by the need to be within a 5km radius of the Elstree substation. Consequently, all of the area of search is either built-up or within the Metropolitan Green Belt. Given the narrow area of search based only on one substation, rather than a UK-wide search, I consider little weight can be given to this factor.
- 9.21 **Temporary and reversible impacts.** The relevant PPG recognises that the duration of a development and its remediability is a factor to be taken into account. In this case the Applicant considers the proposal is reversible and has a “...lifetime of 35 operational years”. I note the PPG referred to by the Applicant in support of this ‘temporary’ use does not specify what ‘temporary’ amounts to.
- 9.22 In addition the Applicant uses the phrase ‘operational’ years (my emphasis). This could imply that, should electricity generation policies and prices vary over that period and the array is off-line for periods of time i.e. non-operational, then the 35 years would be a minimum period. In any event I consider that 35 years cannot be considered to be temporary.
- 9.23 Consequently, I consider little weight can be given to the temporary nature of the proposal, the harm arising from it being on site for a minimum of 35 years would be substantial.
- 9.24 **Biodiversity net gain/ soil regeneration/green infrastructure.** The proposals would provide biodiversity net gain over the existing use of the site as intensive arable. However, some of these gains, and soil regeneration, could be achieved by alternative farming practices, which may be driven by post-Brexit farm subsidy schemes or other measures. Therefore, I consider that only moderate weight can be attached to this factor; not all of the proposed development would be required in order to provide the total benefits.
- 9.25 **Farm diversification.** I have dealt with this under Issue 3 above, where I show that only very limited weight can be given to this factor.
- 9.26 **Transmission/distribution costs.** As is made clear by the applicant, the application site has been identified due to the desire to locate close to a National Grid connection and just as importantly, to secure the land. In that other land outside the Green Belt, potentially previously developed land (PDL), may be available means that very limited weight can be given to this factor. Indeed, I note from the BRE document Agricultural Good Practice Guidance for Solar Farms, that Wymeswold Solar Farm, Leicestershire estimated to power 8,500 homes, which at 2014 was the UK’s largest connected solar farm, was built on a disused airfield and received no objections during the planning process.
- 6.27 **Carrying out the Green Belt balancing exercise.** I have shown above and in Issues 1, 2 and 3 that the proposal will cause significant harm to the openness of the Green Belt, Green Belt purposes and to recreational users of the Green Belt. Balanced against this, is the moderate weight given to the biodiversity/soil regeneration/green infrastructure benefits.

9.28 **Do VSC exist.** I have shown that the other considerations do not clearly outweigh the totality of the harm caused by the proposal. Very special circumstances do not exist and so the application should be refused planning permission.

10.0 CONCLUSIONS

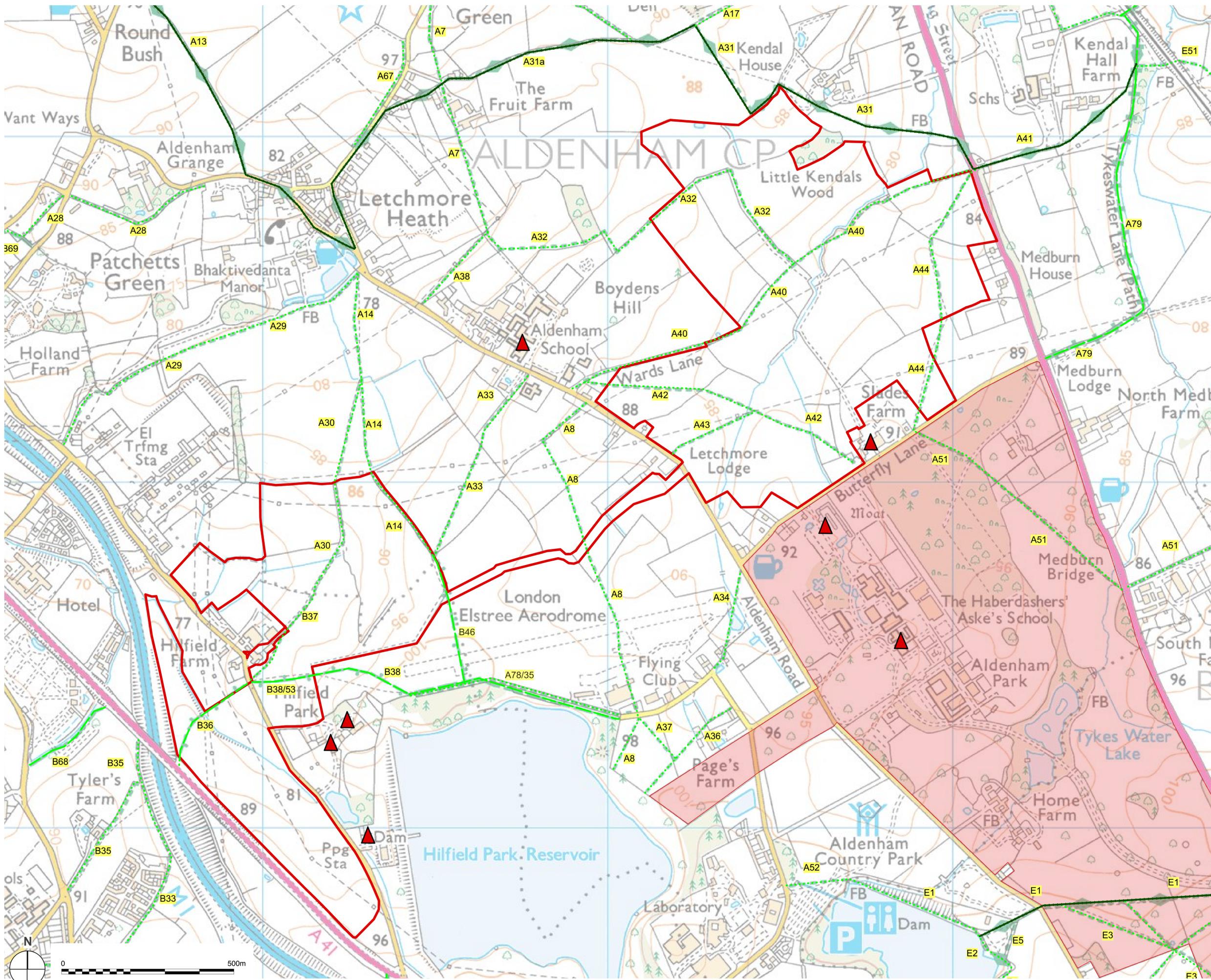
- 10.1 This report relates to a proposal to site a solar panel with its attendant structures on a 130ha open site in the Green Belt.
- 10.2 I conclude that there would be only limited harm to the character of the landscape due to its undulating form, existing and proposed landscape screening and limited height of the solar array and other structures which are proposed.
- 10.3 I conclude that there would be substantial visual harm to users of the PROW that cross the site due to the high magnitude of change, which will have a Major-Moderate Significance to these users. I consider this Significance is increased by the number of actual and future users of the PROW in the nearby towns and villages and the ‘canalisation’ of the route, so reducing the vista beyond the 10m corridor and reducing interest to users, by looking through metal fences to an industrial landscape. This causes significant harm to the visual dimension of openness.
- 10.4 I conclude that the proposals would not aid long term farm diversification beyond the payment to the landowner and the potential for sheep grazing. Any other benefits thereafter to the rural economy are small as the site would be left unattended. Consequently, only limited weight can be attached to this consideration.
- 10.5 I conclude that, as accepted by the applicant, the proposal is inappropriate development and remains so, despite the opportunity for the Government to define renewable energy development as not inappropriate in the revision of the NPPF in 2019. Consequently, and by definition, the proposal would cause harm to the Green Belt, which carries significant weight.
- 10.6 I consider the harm caused to the Green Belt openness must carry significant weight. Notwithstanding the description of the site by the applicant as “*semi-suburban in character*” it is 130ha of underdeveloped, open farmland. The proposals will develop the site and by definition harm openness, the most important attributes of a Green Belt.
- 10.7 I consider the proposal, by developing open land, will harm the purposes of the Green Belt i.e. by reason of preventing neighbouring towns from merging and safeguarding the countryside from encroachment. Great weight must be placed on this factor.
- 10.8 In respect of other potential harm, I conclude limited weight can be placed on the availability of this site for renewable electricity generation. There is no evidence that other non-Green

Belt sites adjoining substations are unavailable or that each LPA must be self-contained regarding electricity generation.

- 10.9 I conclude that the undoubted benefits to biodiversity/soil health are not exclusive to the proposal and could arise by other means, such that only moderate weight can be applied.
- 10.10 I conclude that little weight can be placed on the temporary nature of the proposal given that it will have at least 35-year operational lifespan. This lifespan could potentially become longer if for any reason the array was not operational for a period of time. In any event I do not consider 35 years as temporary in respect to harm to the Green Belt.
- 10.11 In drawing these conclusions together I consider that the other considerations in this case do not clearly outweigh the harm set out above. As the very special circumstances necessary to justify the development of this Green Belt do not exist, I consider the application should be refused for the following reasons:
1. Harm to the openness and purposes of the Green Belt by reason of inappropriate development and the absence of very special circumstances to outweigh the defined harm and other harm.
 2. Harm to users of the PROW that cross the site by reason of adverse visual impact, from a restricted view to an industrial landscape and the perception of the 'channelling' of these routes, making them less valuable as a recreational resource.

Appendix 3

Plan showing PROW and Heritage Assets



- GENERAL NOTES:
1. Do not scale from this drawing.
 2. Drawing is for the intended purpose as stated in the status box of the title block.
 3. HCUK accept no liability arising from any variation to this drawing without prior approval obtained.
 4. Check all dimensions on site.
 5. Report any discrepancies and omissions to HCUK Ltd.
 6. This drawing is copyright.

- KEY**
-  Hillfield Solar Farm Site boundary
 -  Long Distance Walking Routes
 -  Designated Public Right of Way (PRoW) number
 -  Bridleway
 -  Footpath
 -  Heritage Asset
 -  Aldenham Register Park and Garden

For the layout of the proposed solar farm, please refer to drawing:
 21_0050_FULEI-PROPOSED_SITE_LAYOUT_PLAN-1192878

Revision	Description	Date
-	First issue	21/7/22



W: www.hcugroup.co.uk

Client: Aldenham Parish Council
 Project: Hillfield Solar Farm
 Description: Heritage Features

Status: For Planning

Scale: 1:5000@A1	Drawn SH	Checked CB	Date: 21/7/2022
Job Number: 08229	Drawing Number: 1	Revision: -	