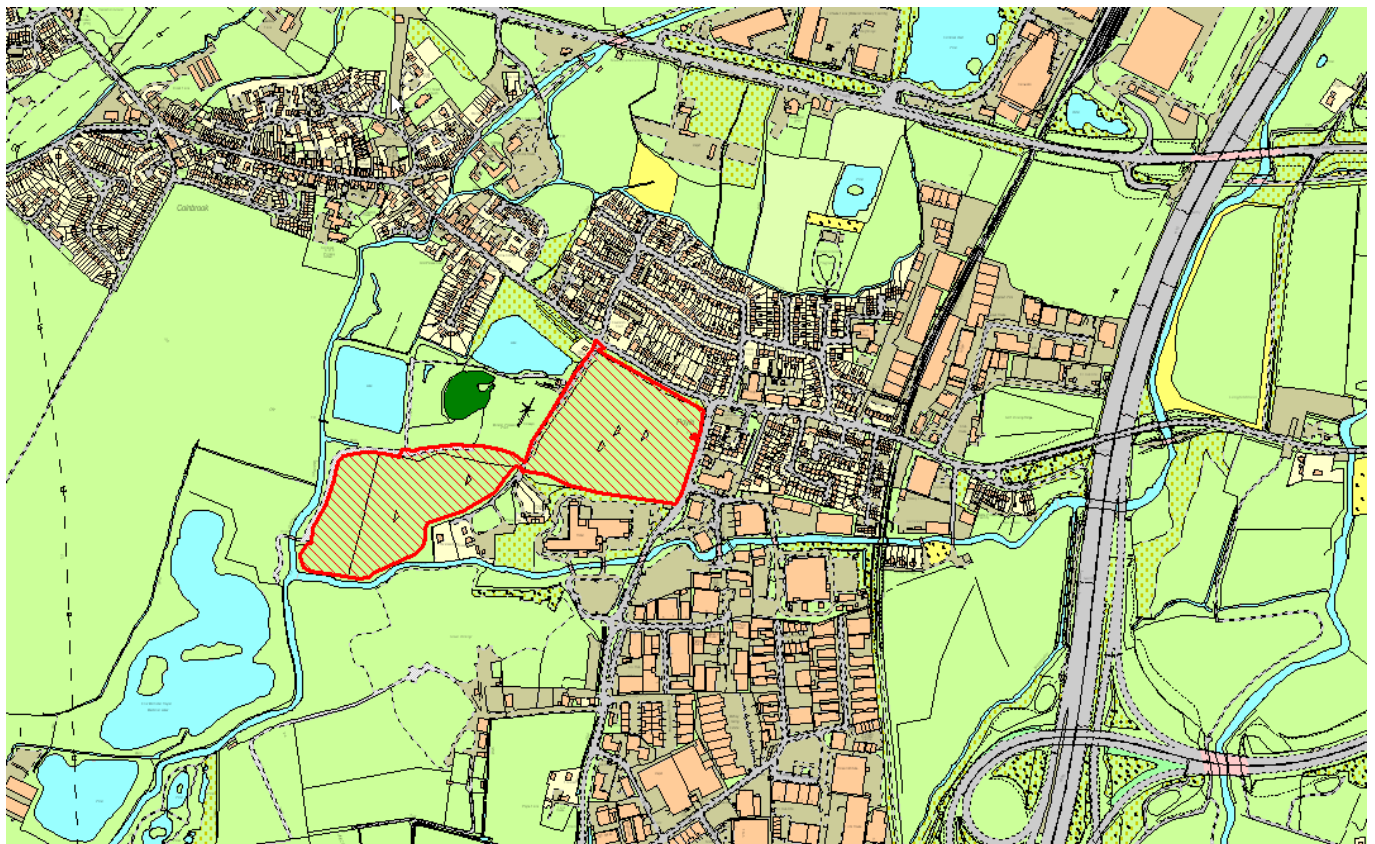


<b>Registration Date:</b>	14-Jul-2015	Applic. No:	P/10012/005
<b>Officer:</b>	Neetal Rajput	Ward:	Colnbrook with Poyle
<b>Applicant:</b>	Mr. James Steynor, Sirius SBC Renewables		
<b>Agent:</b>	Mr. James Cook, Stratus Environmental 4245, Park Approach, Thorpe Park, Leeds, West Yorkshire, LS15 8GB		
<b>Location:</b>	Former Poyle Park Manor Landfill, Bath Road, Poyle, Slough, SL3 0HY		
<b>Proposal:</b>	Construction and operation of a solar photovoltaic farm including fencing, internal service tracks, transformer and inverter stations, cabling, CCTV, landscaping substations and ancillary cabins.		

**Recommendation: Refuse**



## 1.0 **SUMMARY OF RECOMMENDATION**

- 1.1 This application has been referred to the Planning Committee for consideration as the application is for a major development.
- 1.2 Having considered the relevant policies set out below, the representations received from consultees and all other relevant material considerations, it is recommended that the application be refused for the reasons outlined in the report.

## **PART A: BACKGROUND**

### 2.0 **Proposal**

- 2.1 The proposal is for the construction and operation of a solar photovoltaic farm, including fencing, internal service tracks, transformer and inverter stations, cabling, CCTV, landscaping, substations and ancillary cabins.
- 2.2 The proposed solar farm would have the capacity of approximately 4.5 Megawatt Peak (MWp) of electricity, enough to power up to approximately 1,000 homes per year and offset over 2,000 tonnes of carbon dioxide every year, the equivalent of taking 830 cars off the road.
- 2.3 Following construction of the solar farm, the site will be seeded with an appropriate grassland mix. It is anticipated that the solar farm will take 3 months to construct and will have an operational life of 25 years. At the end of the 25 years, all structures associated with the permission would be removed from the site and, apart for landscape improvements, the site returned to its original condition.
- 2.4 The site will be accessed via the former Poyle Manor North Landfill Site access point off Bath Road. It is expected that this access point will be utilised during the construction and operational phases of the development.
- 2.5 The panels will be arranged in rows in an east-west alignment across the site and will be angled between 10° and 35° to the horizontal and orientated south. The maximum height of the panels will be 3m above ground level; the lowest part of the panel will measure approximately 1m above ground level. The rows of panels will be set up to approximately 4m apart to avoid shadowing and allow for scheduled maintenance.
- 2.6 Due to commercial constraints, and potential changes in solar panel, inverter, transformer and substation manufacturer at the time of considering the planning application, some element of flexibility is required in relation to their dimensions, appearance and their arrangement.
- 2.7 The solar farm will be designed to operate on a 24 hour day basis, seven days a week.

2.8 The grid connection point is located in Bath Road outside the site access. The Supporting Statement states that a suitable grid offer from the distribution network operator exists and there is sufficient capacity for the injection of the electricity into the grid with minimal cable works and disruption.

2.9 A request for a Screening Request in relation to the propose development was submitted in May 2015. The Local Planning Authority issued a response which confirmed that the proposal would not constitute Environmental Impact Assessment development given the scale and nature of the proposal.

### 3.0 **Application Site & Surroundings**

3.1 The application site comprises two areas of the former Poyle Manor North Landfill Site which has been restored and is used for agricultural uses and is located to the south west of the Old Bath Road / Poyle Road junction.

3.2 The site occupies an area of approximately 10.90 hectares. Historically the application site was part of a wider area for sand and gravel extraction. Following extraction, the site was infilled with industrial and commercial waste. In 1988 landfilling operations ceased and the site was subsequently restored.

3.3 The nearest residential properties to the application site includes a property along Bath Road which is approximately 10m from the site boundary. Three properties are also located towards the centre of the site. To the east and south east of the site is Poyle Trading Estate which houses a number of industrial and commercial units. To the south is the Hilton Hotel.

3.4 The site falls within Flood Risk zones 1 and 3 as defined on the current Environment Agency Flood Map. Slough Borough Council's Strategic Flood Risk Assessment shows that the site lies within Flood Zone 3b, functional floodplain.

3.5 The site lies within the Metropolitan Green Belt, the Colne Valley Park and the Strategic Gap between Slough and Greater London.

3.6 The South West London Waterbodies Site of Scientific Interest (SSSI), Special Area of Protection and Ramsar Site is located approximately 800m south of the site, beyond which lies Wraysbury and Hythe End Gravel Pits SSSI and Stains Moor SSSI.

### 4.0 **Site History**

4.1 Full planning history relating to the site is as follows:

Application ref.	Description	Decision
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P/10012/004	APPLICATION FOR AN EXTENSION OF TIME TO REPLACE PLANNING PERMISSION P/10012/003, DATED 2ND MAY 2008, FOR THE ERECTION OF A NEW PROCESSING PLANT, USE OF LAND AS A PLANT SITE AND INTERNAL HAUL ROAD, AND CONSTRUCTION OF A NEW ACCESS ROAD WITH ROUNDABOUT ON POYLE ROAD FOR USE IN CONNECTION WITH THE EXTRACTION OF MINERAL FROM PART OF PREFERRED AREA 12.	Approved 17-Mar-2011
P/10012/003	ERECTION OF A NEW PROCESSING PLANT, USE OF LAND AS A PLANT SITE AND INTERNAL HAUL ROAD, AND CONSTRUCTION OF A NEW ACCESS ROAD WITH ROUNDABOUT ON POYLE ROAD FOR USE IN CONNECTION WITH THE EXTRACTION OF MINERAL FROM PART OF PREFERRED AREA 12.	Approved 02-May-2008
P/10012/002	VARIATION OF CONDITION NO. 3 OF PLANNING PERMISSION P/10012/001 DATED 08/08/00 TO ALLOW FOR THE RETENTION OF THE PROCESSING PLANT UNTIL 31 DECEMBER 2004 WITH THE RESTORATION OF THE PLANT SITE BEING COMPLETED BY 31ST MAY 2005 IN ACCORDANCE WITH THE APPROVED RESTORATION PLAN P1/1083/3/A	Approved 29-Sep-2003
P/10012/001	VARIATION OF CONDITION 3 OF PLANNING PERMISSION P/10012/000 FOR PROCESSING PLANT & ASSOCIATED FACILITIES	Approved 08-Aug-2000
P/10012/000	VARIATION OF CONDITION E PLANNING PERMISSION APP/B3600/A190/ 1600783 FOR THE EXTENSION OF TIME FOR RETENSION OF PLANT (COUNTY MATTERS)	Approved 08-Jul-1996

## 5.0 **Neighbour Notification**

- 5.1 7, Poyle Road, Colnbrook, Slough, SL3 0EZ, The Cottage, Old Bath Road, Colnbrook, Slough, SL3 0HZ, 3, Poyle Road, Colnbrook, Slough, SL3 0EZ, 4, Poyle Road, Colnbrook, Slough, SL3 0EZ, 2, Poyle Road, Colnbrook, Slough, SL3 0EZ, 3, Tall Trees, Colnbrook, Slough, SL3 0JS, 7, Cottesbrooke Close,

Colnbrook, Slough, SL3 0JE, 26, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, 28, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, 8, Tall Trees, Colnbrook, Slough, SL3 0JS, 2 Riverside Bungalow, Old Bath Road, Colnbrook, Slough, SL3 0JD, Future House, Poyle Road, Colnbrook, Slough, SL3 0AA, 14, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, 5 Cavendish Court, Coleridge Crescent, Colnbrook, Slough, SL3 0QQ, 6 Cavendish Court, Coleridge Crescent, Colnbrook, Slough, SL3 0QQ, 7 Cavendish Court, Coleridge Crescent, Colnbrook, Slough, SL3 0QQ, 8 Cavendish Court, Coleridge Crescent, Colnbrook, Slough, SL3 0QQ, 2 Cavendish Court, Coleridge Crescent, Colnbrook, Slough, SL3 0QQ, 3 Cavendish Court, Coleridge Crescent, Colnbrook, Slough, SL3 0QQ, 4 Cavendish Court, Coleridge Crescent, Colnbrook, Slough, SL3 0QQ, 13 Cavendish Court, Coleridge Crescent, Colnbrook, Slough, SL3 0QQ, 14 Cavendish Court, Coleridge Crescent, Colnbrook, Slough, SL3 0QQ, 15 Cavendish Court, Coleridge Crescent, Colnbrook, Slough, SL3 0QQ, 16 Cavendish Court, Coleridge Crescent, Colnbrook, Slough, SL3 0QQ, 9 Cavendish Court, Coleridge Crescent, Colnbrook, Slough, SL3 0QQ, 10 Cavendish Court, Coleridge Crescent, Colnbrook, Slough, SL3 0QQ, 11 Cavendish Court, Coleridge Crescent, Colnbrook, Slough, SL3 0QQ, 12 Cavendish Court, Coleridge Crescent, Colnbrook, Slough, SL3 0QQ, 17 Cavendish Court, Coleridge Crescent, Colnbrook, Slough, SL3 0QQ, 18 Cavendish Court, Coleridge Crescent, Colnbrook, Slough, SL3 0QQ, 19 Cavendish Court, Coleridge Crescent, Colnbrook, Slough, SL3 0QQ, 24 Cavendish Court, Coleridge Crescent, Colnbrook, Slough, SL3 0QQ, 21 Cavendish Court, Coleridge Crescent, Colnbrook, Slough, SL3 0QQ, 22 Cavendish Court, Coleridge Crescent, Colnbrook, Slough, SL3 0QQ, 23 Cavendish Court, Coleridge Crescent, Colnbrook, Slough, SL3 0QQ, 20 Cavendish Court, Coleridge Crescent, Colnbrook, Slough, SL3 0QQ, 3 Bath Road Cottages, Old Bath Road, Colnbrook, Slough, SL3 0JA, 13, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, 21, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, 1, Poyle Road, Colnbrook, Slough, SL3 0EZ, 1, Coleridge Crescent, Colnbrook, Slough, SL3 0PJ, Randhalia House, Old Bath Road, Colnbrook, Slough, SL3 0HY, 6, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, 4, Heathacre, Colnbrook, Slough, SL3 0HX, 19, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, Littlecot, Old Bath Road, Colnbrook, Slough, SL3 0HZ, Pantiles, Old Bath Road, Colnbrook, Slough, SL3 0HZ, 1, Heathacre, Colnbrook, Slough, SL3 0HX, 5, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, 6, Tall Trees, Colnbrook, Slough, SL3 0JS, 7 Bath Road Cottages, Old Bath Road, Colnbrook, Slough, SL3 0JA, 5, Tall Trees, Colnbrook, Slough, SL3 0JS, 7 Ibbotson Court, Poyle Road, Colnbrook, Slough, SL3 0HP, 8 Ibbotson Court, Poyle Road, Colnbrook, Slough, SL3 0HP, 9 Ibbotson Court, Poyle Road, Colnbrook, Slough, SL3 0HP, 10 Ibbotson Court, Poyle Road, Colnbrook, Slough, SL3 0HP, 11 Ibbotson Court, Poyle Road, Colnbrook, Slough, SL3 0HP, 12 Ibbotson Court, Poyle Road, Colnbrook, Slough, SL3 0HP, 16, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, Poyle Lodge, Old Bath Road, Colnbrook, Slough, SL3 0JB, 12, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, 20, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, 7, Tall Trees, Colnbrook, Slough, SL3 0JS, 4 Bath Road Cottages, Old Bath Road, Colnbrook, Slough, SL3 0JA, Dolce Domum, Old Bath Road, Colnbrook, Slough, SL3 0HZ, 4 Ibbotson Court, Poyle Road, Colnbrook,

Slough, SL3 0HP, 5 Ibbotson Court, Poyle Road, Colnbrook, Slough, SL3 0HP, 6 Ibbotson Court, Poyle Road, Colnbrook, Slough, SL3 0HP, 1 Ibbotson Court, Poyle Road, Colnbrook, Slough, SL3 0HP, Therdon, Old Bath Road, Colnbrook, Slough, SL3 0HY, 2 Ibbotson Court, Poyle Road, Colnbrook, Slough, SL3 0HP, 3 Ibbotson Court, Poyle Road, Colnbrook, Slough, SL3 0HP, Flat 4, Elgin House, Old Bath Road, Colnbrook, Slough, SL3 0HZ, Flat 1, Elgin House, Old Bath Road, Colnbrook, Slough, SL3 0HZ, Flat 2, Elgin House, Old Bath Road, Colnbrook, Slough, SL3 0HZ, Flat 3, Elgin House, Old Bath Road, Colnbrook, Slough, SL3 0HZ, 8, Poyle Road, Colnbrook, Slough, SL3 0EZ, 11, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, 2, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, 4, Tall Trees, Colnbrook, Slough, SL3 0JS, 1, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, 8 Bath Road Cottages, Old Bath Road, Colnbrook, Slough, SL3 0JA, 3, Heathacre, Colnbrook, Slough, SL3 0HX, 5, Poyle Road, Colnbrook, Slough, SL3 0EZ, 6, Poyle Road, Colnbrook, Slough, SL3 0EZ, 1 Riverside Bungalow, Old Bath Road, Colnbrook, Slough, SL3 0JD, 24, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, Ivy Bank, Old Bath Road, Colnbrook, Slough, SL3 0HZ, Flat 8, Elgin House, Old Bath Road, Colnbrook, Slough, SL3 0HZ, Flat 5, Elgin House, Old Bath Road, Colnbrook, Slough, SL3 0HZ, Flat 6, Elgin House, Old Bath Road, Colnbrook, Slough, SL3 0HZ, Flat 7, Elgin House, Old Bath Road, Colnbrook, Slough, SL3 0HZ, 1 Cavendish Court, Coleridge Crescent, Colnbrook, Slough, SL3 0QQ, 10, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, 5 Bath Road Cottages, Old Bath Road, Colnbrook, Slough, SL3 0JA, 2, Tall Trees, Colnbrook, Slough, SL3 0JS, 4, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, 10, Poyle Road, Colnbrook, Slough, SL3 0EZ, 22, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, 17, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, Poyle Corner, Old Bath Road, Colnbrook, Slough, SL3 0JB, 3, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, Wisteria, Old Bath Road, Colnbrook, Slough, SL3 0HZ, 9, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, R A C Motor Sports Association, Motor Sports House, Poyle Road, Colnbrook, Slough, SL3 0HG, 8, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, Raron, Old Bath Road, Colnbrook, Slough, SL3 0HY, 1 Bath Road Cottages, Old Bath Road, Colnbrook, Slough, SL3 0JA, 3 Riverside Bungalow, Old Bath Road, Colnbrook, Slough, SL3 0JD, 23, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, Punch Bowl, Old Bath Road, Colnbrook, Slough, SL3 0PH, 18, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, Banctec Ltd, Mathisen Way, Colnbrook, Slough, SL3 0HF, 10, Tall Trees, Colnbrook, Slough, SL3 0JS, 6 Bath Road Cottages, Old Bath Road, Colnbrook, Slough, SL3 0JA, 15, Cottesbrooke Close, Colnbrook, Slough, SL3 0JE, 2, Heathacre, Colnbrook, Slough, SL3 0HX, 1, Tall Trees, Colnbrook, Slough, SL3 0JS, Lake Cottage, Old Bath Road, Colnbrook, Slough, SL3 0JB, 2 Bath Road Cottages, Old Bath Road, Colnbrook, Slough, SL3 0JA, Brook House, Poyle Road, Colnbrook, Slough, SL3 0AA, Hilton Hotel, Poyle Road, Colnbrook, Slough, SL3 0FF, 1 The Pulse, Old Bath Road, Colnbrook, Slough, SL3 0FB, 2 The Pulse, Old Bath Road, Colnbrook, Slough, SL3 0FB, 3 The Pulse, Old Bath Road, Colnbrook, Slough, SL3 0FB, 4 The Pulse, Old Bath Road, Colnbrook, Slough, SL3 0FB, 6 Brooke Villa, Old Bath Road, Colnbrook, Slough, SL3 0AW, 5 Brooke Villa, Old Bath Road, Colnbrook, Slough, SL3 0AW, 4 Brooke Villa, Old Bath Road, Colnbrook, Slough, SL3 0AW, 1 Brooke Villa, Old Bath Road, Colnbrook, Slough, SL3

0AW, 2 Brooke Villa, Old Bath Road, Colnbrook, Slough, SL3 0AW, 3 Brooke Villa, Old Bath Road, Colnbrook, Slough, SL3 0AW, 10 Brooke Villa, Old Bath Road, Colnbrook, Slough, SL3 0AW, 9 Brooke Villa, Old Bath Road, Colnbrook, Slough, SL3 0AW, 7 Brooke Villa, Old Bath Road, Colnbrook, Slough, SL3 0AW, 8 Brooke Villa, Old Bath Road, Colnbrook, Slough, SL3 0AW

Consultation letters were posted out on 24<sup>th</sup> July 2015 to residents and commercial properties.

- 5.2 There have been no representations received.
- 5.3 **Publicity:** In accordance with Article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015, a site notice was displayed at the site. The application was advertised in the 31<sup>st</sup> July 2015 edition of the Slough Express.
- 6.0 **Internal Consultation**
- 6.1 **Highways & Transport**
- 6.1.1 The proposed development is to construct a power generation site in the form of a solar farm containing photovoltaic panels.

#### **Access**

The proposed access to the site is an existing access on Bath Road to Poyle Park Farm. The design of the existing access is sufficient to accommodate the HGV traffic that will be required to accept the deliveries to the site. The access is located on a 20mph traffic calmed road and therefore it is not suitable for significant flows of HGV traffic and therefore it would preferable to bring the construction traffic into the site via the future CEMEX access Road and roundabout, which are proposed along the southern boundary of the eastern field. The CEMEX access road works are not proposed as part of this application.

In the supporting documents there did not appear to be any information setting out the number of HGV construction traffic movements and also for what length of period the construction traffic will extend across. This information is needed in order to take a view as to whether an alternative access arrangement should be implemented for the delivery of the panels etc. If the proposed Cemex access was to be used then this would limit the impact of the construction traffic on the residential properties fronting Bath Road.

#### ***HGV Routing***

The application includes information regarding routing of construction vehicles to the site. It is said that they will travel via M25 J14, Horton Road, Poyle Road and Bath Road. This proposed routing should be secured through the S106 agreement in the form of a routing plan. The applicant should be made aware that the local highway authority is seeking to implement a width restriction on either Poyle Road or Bath Road in the vicinity of the Punch Bowl

public house in order to prevent HGV access to Poyle Trading Estate from the north. Therefore the routing plan for the S106 agreement will provide an alternative route should the width restriction be implemented before the construction of this proposed development.

### *Cycle Path*

There is a proposal to improve cycle connections to the Poyle Trading Estate and Heathrow terminal 5 from Colnbrook. The route is proposed on road along High Street Colnbrook, and Bath Road which are already traffic calmed but then off-road along Poyle Road and Horton Road, which are busier roads with higher volumes of HGVs. Therefore in accordance with Policy T8 of the Slough Local Plan it is requested that provision is made for cycle access to and through this site to enable this proposed route to be achieved. It is requested that land along the eastern boundary of this site could be dedicated to the local highway authority free of charge (through a deed of dedication) to enable the cycle route to be implemented. Further discussion is recommended with the applicant on this request.

### *Recommendation*

Subject to addressing the points highlighted above in providing further information in respect of construction traffic, agreeing a routing plan and the cycle path, together with entering into a S106 agreement I would not raise a highway objection.

### S106 agreement

- Routing agreement; and
- Land dedication for cycle route (subject to agreement).

## 6.2 Environmental Quality

6.2.1 Raise no objections to this scheme or concerns to the noise impact report submitted.

## 6.3 Land Contamination

6.3.1 Below are the comments on “Poyle Park Manor Solar Farm – Supporting Statement” (Ref. SBC1044/SS), dated July 2015 and prepared by Stratus Environmental:

Sections 4.3.21 to 4.3.30 - Mitigation for Risks Posed by the Proposed Development:

I consent to the mitigation methods suggested in this section. All works should be carried out according to the methods described and Personal Protective Equipment must be worn at all times suitable for a landfill environment.

Once available, a copy of the Construction Method Statement should be submitted to the Local Planning Authority (LPA) for review and approval.



If necessary, details of any gas protection/detection measures should be submitted to the LPA, together with the sign-off of an independent, certified third party inspector.

Once works are completed, confirmation details that the on-site substations were built to the recommended specifications, and that the capping layer was not breached, should be submitted to the LPA.

Extra care should be taken to ensure that all Services are sealed in order to reduce the risk of preferential gas/vapour migration and accumulation into the proposed buildings.

Based on the above, I have no objections to the planning application. However, I recommend that the following Watching Brief is placed on the Decision Notice:

*The developer shall carry out a watching brief during site work and shall draw to the attention of the Local Planning Authority to the presence of any unsuspected contamination (to soil or/and water, determined by either visual or olfactory indicators) encountered during the development.*

*In the event of contamination to land and/or water being encountered or if the integrity of the existing restoration capping layer is breached or less than the thickness initially expected, no development or part thereof shall continue until a programme of investigation and/or remedial work to include details of the remedial scheme and methods of monitoring, and validation of such work undertaken has been submitted to and approved in writing by the Local Planning Authority.*

*None of the development shall be commissioned and/or occupied until the approved remedial works, monitoring and validation of the works have been carried out and a full validation report has been submitted to and approved in writing by the Local Planning Authority.*

*In the event that no significant contamination is encountered, the developer shall provide a written statement to the Local Planning Authority confirming that this was the case, and only after written approval by the Local Planning Authority shall the development be commissioned and/or occupied.*

*Reason: To ensure that any ground and water contamination is identified and adequately assessed, and that remediation works are adequately carried out, to safeguard the environment and to ensure that the development is suitable for the proposed use, without disturbing the existing waste mass or creating further preferential contamination pathways.*

6.4 Tree Management Officer

6.4.1 No comments received, should these be received, they will be reported on the Amendment Sheet.

6.5 Neighbourhood Enforcement

- 6.5.1 Looked at the noise report relating to this application and do not have any concerns over the impact on local residents.
- 6.5.2 In relation to the construction phase, I am assuming that standard conditions relating to hours of operation, waste on site, lighting, etc will be included.

7.0 **External Consultees**

7.1 Royal Borough of Windsor & Maidenhead: No objection.

7.2 Poyle and Colnbrook Parish Council:

Members had concerns regarding the visual aspects of this development on neighbouring residential properties and businesses. They requested that screening in the form of a mixed broadleaf and evergreen tree/hedge buffer strip be planted along the internal boundaries to the northern and eastern perimeters along Bath Road / Poyle Road to supplement the existing vegetation which is mainly broadleaf species that will be bare in winter. They also queried the height of the panels at 3m tall and if this is fixed.

7.3 Spelthorne Borough Council: No objection

7.4 Heathrow Airport Limited, Safeguarding:

We have now assessed the application against safeguarding criteria and can confirm that we have no safeguarding objections to the proposed development.

However, we would like to make the following observation:

Public Safety Zones

This site, or part of this site, lies within the Public Safety Zone. Please refer to DFT Circular 1/2010 'Control of Development in Airport Public Safety Zones' for further information.

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/policysafeguarding.htm>)

7.5 Berkshire Archaeology:

This response relates solely to the buried archaeological heritage.

Matters relating to the historic built environment, listed buildings and

Conservation Areas rest with the Borough's Conservation Officer.

The applicant has submitted an archaeological desk-based assessment (Oxford Archaeology, June 2015, ref: 6178) with their application which assesses the impact of the proposed development on the buried archaeological heritage.

The desk-based assessment sets out a fair assessment of the known heritage assets within and adjacent to the site and correctly emphasises the significance of the wider archaeological landscape in the Colne Valley. However the key factor as regards archaeology in regard to this site is the evidence for previous gravel extraction and in this respect the report concludes (paragraph 9.1.1):

*'Aerial photographs of the Site show the whole of Area B and the eastern two thirds of Area A to have been quarried. However, it is understood that all of Area A was quarried (pers. Comm. Colin Raynor). The excavation of the quarry will have been the main impact into the Site, which, dependent on depth, will have removed most if not all archaeological deposits within their footprints.'*

Unfortunately the report does not reproduce any of the relevant aerial photographs or any maps or plans to demonstrate the extent of former gravel workings. However this information is available from the Envirocheck Report accompanying the application and also from other publicly available resources.

On this basis, Berkshire Archaeology is in agreement that previous gravel extraction is likely to have largely removed any archaeological interest in this application site. As Oxford Archaeology's report notes, it is conceivable that intact ground may survive on the very extremes of this site. However the likely small size of such areas and the generally slight construction impacts of the proposed development does not justify searching them out.

On this basis, Berkshire Archaeology is content that the information provided with the application addresses the buried archaeological heritage aspects of this proposal and that no further archaeological work is merited should permission be granted.

## 7.6

### Thames Water:

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval

from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Water comments - Thames Water recommend the following informative be attached to any planning permission: There are large water mains adjacent to the proposed development. Thames Water will not allow any building within 5 metres of them and will require 24 hours access for maintenance purposes. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0800 009 3921 for further information.

## 7.7

### Natural England:

#### *Statutory nature conservation sites – no objection*

Natural England has assessed this application using the Impact Risk Zones data (IRZs) and 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(I) 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.

#### *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.

#### *Sites of Special Scientific Interest Impact Risk Zones*

The Town and Country Planning (Development Management Procedure) (England) Order 2015, which came into force on 15 April 2015, has removed the requirement to consult Natural England on notified consultation zones within 2 km of a Site of Special Scientific Interest (Schedule 5, v (ii) of the 2010 DMPO). The requirement to consult Natural England on “*Development in or likely to affect a Site of Special Scientific Interest*” remains in place (Schedule 4, w). Natural England’s SSSI

*Impact Risk Zones* are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments *likely to affect a SSSI*. The dataset and user guidance can be accessed from the gov.uk website.

7.8 Environment Agency:

Following on from the previous comments on the planning application by the EA, dated 9 September 2015 (EA ref. WA/2015/121070/01-L01), further information on the development's impact on flood risk has been submitted by the applicant (Stratus Environmental ref. SBC1044, dated 25 September 2015).

The EA **removed their objection** to the proposed development, **subject to the inclusion of the conditions** in any planning permission. The EA stated that without the inclusion of these conditions, the development would pose an unacceptable risk to the environment and to people and property from flooding.

Final Comments to LPA

The EA also requested to be consulted on any application for the approval of details reserved by the conditions, or for their removal or variation.

7.9 Aircraft Safeguarding, Heathrow Airport Ltd: No comments received.

7.10 Planning and Environment Group, National Grid Gas PLC: No comments received.

7.11 Colne Valley Park Centre: No comments received.

7.12 Airports Policy Division (Zone 2/29), Dept. of Environment: No comments received.

7.13 London Borough of Hillingdon: No comments received.

**PART B: PLANNING APPRAISAL**

8.0 **Policy Background**

8.1 The following National Policy and Development Plan documents are considered to be most relevant to the proposal:

National Planning Policy Framework, March 2012 and the Planning Practice Guidance

The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, Adopted December 2008

Core Policy 1 – Spatial Strategy

Core Policy 2 – Green Belts and Open Spaces

Core Policy 5 – Employment

Core Policy 7 – Transport

Core Policy 8 – Sustainability and the Environment

Core Policy 9 – Natural and Built Environment

## Core Policy 10 – Infrastructure

### The Local Plan for Slough, Adopted March 2004

Policy EN1 – Standard of Design  
Policy EN3 – Landscaping Requirements  
Policy EN22 – Protection of Sites with Nature Conservation Interest  
Policy EN24 – Protection of Watercourses  
Policy EN34 – Utility Infrastructure  
Policy OSC8 – Green Spaces  
Policy CG1 – Colne Valley Park  
Policy T2 – Parking Restraint  
Policy T8 – Cycling Network and Facilities

### Other Relevant Documents/Statements

Slough Borough Council Developer's Guide Parts 1-4  
Proposal's Map

#### 8.2 Composite Local Plan – Slough Local Development Plan and the NPPF – PAS Self Assessment Checklist

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission are determined in accordance with the development plan unless material considerations indicate otherwise. Annex 1 to the National Planning Policy Framework advises that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

The Local Planning Authority has published a self assessment of the Consistency of the Slough Local Development Plan with the National Planning Policy Framework using the PAS NPPF Checklist.

The detailed Self Assessment undertaken identifies that the above policies are generally in conformity with the National Planning Policy Framework. The policies that form the Slough Local Development Plan are to be applied in conjunction with a statement of intent with regard to the presumption in favour of sustainable development.

It was agreed at Planning Committee in October 2012 that it was not necessary to carry out a full scale review of Slough's Development Plan at present, and that instead the parts of the current adopted Development Plan or Slough should all be republished in a single 'Composite Development Plan' for Slough. The Planning Committee endorsed the use of this Composite Local Plan for Slough in July 2013.

#### 8.3 The main planning issues relevant to the assessment of this application are considered to be as follows:

- 1) Whether the principle of the development accords with the development plan, particularly impact on the Green Belt, Strategic Gap and Colne Valley Park.
- 2) Whether the landscape and visual impact, traffic and transportation, ecology, flood risk, land contamination, noise and archeologically potential are acceptable.

## 9.0 **Principle of proposed solar farm development**

- 9.1 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. National policy statements form part of the overall framework of national planning policy, and are a material planning consideration in decisions on planning applications.
- 9.2 The NPPF establishes a presumption in favour of sustainable development. For decision taking, this means that proposals for development that accords with the development plan shall be approved without delay.
- 9.3 The requirement to move to a low carbon economy is highlighted in the NPPF, first as a dimension of sustainable development; second as a core planning principle in supporting the transition to a low carbon future; third in the building of a strong competitive low carbon economy in which planning should encourage sustainable economic growth; fourth in the advice that when determining applications, LPAs 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.
- 9.4 The Planning Practice Guidance, paragraph 001 (Ref. ID: 5-001-20140306) states planning has an important role in the delivery of new renewable and low carbon energy infrastructure in locations where the local environmental impact is acceptable. Furthermore, paragraph 012 (Ref. ID 5-012-20140306) provides guidance on the particular planning considerations related to PV system, these include the following:
- the importance of siting systems in situations where they can collect the most energy from the sun;
  - need for sufficient area of solar modules to produce the required energy output from the system;
  - the effect on a protected area such as an Area of Outstanding Natural Beauty or other designated areas;
  - the colour and appearance of the modules, particularly if not a standard design.
- 9.5 The proposed panels will be south facing, as such it will maximise the collection of energy from the sun. The proposed panels will cover sufficient area of the former landfill to produce and deliver the required energy output from the system. The site is not in an Area of Outstanding Natural Beauty. In terms of the colour and appearance of the modules, these will be anti-

reflective and hence will minimise glint and glare. As a result it is considered the proposal complies with the technical requirements set out in the Planning Practice Guidance.

- 9.6 Core Policy 8 of the Slough Local Development Framework Core Strategy Development Plan Document December 2008, states that:

*“All development in the Borough shall be sustainable, of a high quality design, improve the quality of the environment and address the impact of climate: All development should, where feasible, include measures to:*

*c) Generate energy from renewable resources”*

- 9.7 The proposed development will offset approximately 2,000 tonnes of carbon dioxide emissions per annum. Therefore, it is considered that proposed development will make a contribution towards national targets for reducing carbon dioxide emissions and increasing the amount of energy that is generated from renewable sources. The benefits of the proposed development in terms of utilising renewable energy have to be weighed up against the harm to the Green Belt, the Strategic Gap and the Colne Valley Park.

#### **Impact on the Green Belt**

- 9.8 Paragraph 79 of the National Planning Policy Framework (NPPF) explains that the Government attaches great importance to Green Belts. The proposed development would constitute inappropriate development in the Green Belt as defined in paragraph 89.
- 9.9 Paragraph 90 also states that certain other forms of development, such as mineral extraction and engineering operations are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. A solar farm does not, however fall within these categories.
- 9.10 Paragraphs 87 and 88 of the NPPF explain that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances: further, such “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.
- 9.11 The Colnbrook and Poyle area has had a considerable amount of development take place around it such as the reservoirs, motorways and airport related development. There are also a number of major infrastructure proposals in the area which are being promoted because they are either of national or regional importance. These include the proposed third runway, Slough International Freight Exchange (SIFE), western rail connection to Heathrow and Smart Motorway project. All of this makes Colnbrook and Poyle



one of the most fragmented and vulnerable parts of the Metropolitan Green Belt. This means that any further development will compound the overall harm and add to the cumulative impact upon the area.

- 9.12 These issues were considered in the recent public Inquiry into the SIFE proposal for a strategic rail freight depot north of the A4 Colnbrook bypass, which was refused on Green Belt grounds. The applicants claim that SIFE and the solar farm are very different in nature and character and therefore relate to the policy context in different ways. In particular they point out that the solar farm is much smaller and the height of the buildings is much lower. Although it is accepted that SIFE is an exceptionally large development it is considered that all planning applications within the Green Belt should be considered on the same basis. The proposed Solar Farm site covers 10.9 hectares which is a significant size for a development in the Green Belt. The applicants also claim that the solar farm should be treated differently because it is for a temporary period of 25 years. It is considered that this is such a long time to have an impact upon the Green Belt that it should be treated as though it were permanent.
- 9.13 Paragraph 79 of NPPF states the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land open. The essential characteristics of Green Belt are their openness and their permanence. It is therefore considered that impact upon “openness” is the key factor that should be considered in assessing the impact of any development in the Green Belt. There is currently no development upon the site, which consists of open farm land and so the openness of the Green Belt land is not currently compromised in any way.
- 9.14 The proposal would impact on openness by erecting 3m high PV panels over an area of approximately 10ha and enclosed these within a 2.4m fence. There would also be two portacabin buildings enclosed within 2.0m high palisade fences. These would be a 2.5m high building measured 4.0 x 12.0m accommodated within an enclosed compound measuring 17m x 17m, and an additional 3.0 x 8.0 m building. The applicant has sought to reduce the significance of the effect of the solar farm arguing that that it will be screened by existing and proposed planting. The Council does not agree that the visibility of the development is the proper test of openness. You cannot make an inappropriate development in the Green Belt acceptable by screening it from view. As a result the proposed solar farm would conflict with the fundamental aim of Green Belt policy which is to keep it permanently open.
- 9.15 Whilst the most important attribute is openness, the application can also be judged against the other purposes of including land in the Green Belt which are set out in paragraph 80 of the NPPF as being :
- To check the unrestricted sprawl of large built up-areas;
  - To prevent neighbouring towns from merging into one another;

- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

- 9.16 These provide the framework for assessing the specific harm that the solar farm would cause to the Green Belt in Colnbrook and Poyle.
- 9.17 The 10.9ha site currently has no development upon it. Part of it is situated on a road frontage in a key corner location. As a result it plays an important part in preventing urban sprawl in two directions along the road. Although the north east section of the site is well contained, the south western part does not have the same sort of permanent boundaries. Not only does this constitute sprawl, it could lead to other un-constrained development in this area. It is therefore considered that the solar farm would cause significant harm by increasing the unrestricted sprawl of built up areas in an already fragmented area of Green Belt. As a result it would be contrary to the first purpose of including the land in the Green Belt.
- 9.18 The north west part of the site is located in a small gap between Colnbrook and Poyle, which would be significantly reduced by the proposed development leading to the merging of these settlements. The northern side of the site is already built up with housing and so the application site is all the more important for separating the two settlements. It also fronts onto Poyle Road where it plays an important role in separating the residential areas from the industrial and commercial development to the south. It is therefore considered that the infilling of part of this important gap would cause significant harm to one of the purposes of Green Belt policy which is to “prevent neighbouring towns from merging into one another.”
- 9.19 Although the site has previously been used for minerals extraction it has now been restore to agricultural use. As a result it forms part of the limited amount of countryside that if left in the Colnbrook and Poyle area. Whilst it may not be high quality agricultural land this is not a factor that should be considered in the consideration of Green Belt policy. Whilst the site may still be used for grazing, it is considered that the erection of the solar farm would completely change character of the land and cause harm to the third purpose of the Green Belt as set out in the NPPF, which is “to safeguard the countryside from encroachment”.
- 9.20 Colnbrook is an historic settlement which has a large Conservation Area in its central core. The application site forms part of an undeveloped stretch of land to the east of the Conservation Area, which helps to define its edge. As a result it development would cause some harm to the fourth purpose of including land in the Green Belt, which is to “preserve the setting and special character of historic towns”.

- 9.21 It is not considered that the proposal would affect the fifth purpose of including land in the Green Belt, which is “to assist in urban regeneration, by encouraging the recycling of derelict and other urban land”.
- 9.22 In addition to assessing what the harm would be to this Green Belt site, it is also necessary to examine how the development of the solar farm would affect the integrity of the Green Belt in the wider Colnbrook and Poyle area. It is also considered that because the Green Belt in this area is already so fragmented, the impact of allowing further development would cause more cumulative harm to the openness of the area, than if it were to take place elsewhere in the Metropolitan Green Belt. The area has already suffered from major infrastructure development, which has changed the nature of the landscape. This has included the construction of the reservoirs, the M4 and M25 motorways and all of the Heathrow related development. It is also under pressure from many urban fringe type developments. The area also has a number of major new infrastructure proposals which include SIFE, the Western Rail Link to Heathrow, the M4 Smart Motorway scheme and the proposed third runway at Heathrow. The combination of its existing fragmentation and vulnerability to major new developments that are being promoted because they are of national or regional importance mean that it is all the more important to prevent other inappropriate development in the Green Belt, because of the cumulative impact that this could have.
- 9.23 Having established what the harm of the proposed development would be it is necessary to consider whether there are any very special circumstances that would overcome the presumption against inappropriate development in the Green Belt. The applicants have stated that the wider environmental benefits associated with renewable energy developments may be considered as very special circumstances and that the solar farm will contribute to mitigating the damaging effects of climate change through displacing energy produced from carbon. They therefore consider that the 3.8MWp of renewable electricity, which would generate enough power for 1,000 homes, provides the very special circumstances necessary to justify its location in the Green Belt. It is not considered that these general benefits are sufficient to overcome the specific harm to the Green Belt in this location.
- 9.24 The applicants were requested to submit an alternative sites assessment to justify why the solar farm should be in this location. They originally produced an assessment, which just looked at alternative sites in Slough. They have subsequently provided a summary of their national search. This states that they have considered 1,195 sites in detail of which 58 were considered to have significant potential following a detailed viability study and applications for grid connections. 18 of these now have planning permission, including one at Wraysbury.
- 9.25 The applicants claim that they have only identified sites where stringent planning criteria have been met. It is not clear what these criteria are apart from rejecting sites in the AONB and National Parks, but it is not considered that the current proposal at Poyle meets the necessary stringent planning criteria to allow it to be approved in this location. It is therefore considered

that the proposed development would cause significant harm to the Green Belt and should therefore be refused on the grounds that it has not been demonstrated that there are any very special circumstances which overcome the presumption against inappropriate development in the Green Belt.

### **Strategic Gap**

- 9.26 The application site is also within the Strategic Gap, which consists of the undeveloped areas of Colnbrook and Poyle.

One of the key elements of the Slough Core Strategy is the need to protect this Strategic Gap between Slough and Greater London. Part of Core Policy 1 (Spatial Strategy) states that:

“...A strategic gap will be maintained between Slough and Greater London....”

Core Policy 2 then states that:

“...Development will only be permitted in the Strategic Gap between Slough and Greater London... if it is essential to be in that location...”.

- 9.27 The Strategic Gap area is already designated as part of the Metropolitan Green Belt. The introduction of the Strategic Gap policy is therefore intended to add additional restraint to development in this area is explained in paragraph 7.26 of the Core Strategy (CD5.3) which states:

The remaining open land in Colnbrook & Poyle, east of Langley/Brands Hill, is particularly important because it forms part of the Colne Valley Park and acts as the strategic gap between the eastern edge of Slough and Greater London. Additional restraint will therefore be applied to this fragmented and vulnerable part of the Green Belt which will mean that only essential development that cannot take place elsewhere will be permitted in this location.

- 9.28 The question as to whether the policy could add additional restraint was tested in the High Court as part of the Judicial Review of the planning permission for the strategic rail freight interchange at Radlett near St Albans. The Judge came to the following conclusion about the Strategic Gap policy in the Slough Core Strategy:

*“In my judgment it is clear, having regard to the Core Strategy that an additional policy requirement in respect of development in the strategic gap, in addition to showing very special circumstances for an inappropriate development in the Green Belt, must also be shown. That is the clear wording of Core Policy 2 as explained in paragraph 7.26. The wording is in my judgment robust and clear and provides that development will only be permitted if it is essential to be in that location. It is in my judgment an additional policy restraint.”*

- 9.29 As a result it can be seen that the Strategic Gap policy has been thoroughly tested and has been found to add additional policy restraint over and above that of Green Belt, which is generally recognised as being one of the most restrictive policies in the British Planning system. Whilst no policy can ever be an absolute bar to development, it was agreed by the Judge that this imposes a very high bar. Because of its location on the junction of the Old Bath Road and Poyle Road, the application site is considered to be a vital area for preserving the separation of settlements. It forms part of the gap between Colnbrook and Poyle and helps to separate the residential areas from the industrial and commercial development to the south.
- 9.30 The main purpose of the Strategic Gap is to prevent the coalescence of Slough with Greater London so as to maintain their separate identity. In order to do this is not only necessary to keep land open but also maintain the perception of there being some openness between the two major settlements. The maintenance of the perception of a gap or gaps is particularly important along the road corridors. There already is almost continuous urban development from Slough, through Brands Hill, Colnbrook and Poyle up to the M25. The only breaks are Pippins Park/Crown Meadow, Albany Park/the application site and the golf driving range. The northern side of the road opposite the application site is completely built up with houses. As a result any development on the southern side will have a particular impact upon the retention of a gap.
- 9.31 It is accepted that the proposed solar panels will be well screened by the existing and proposed vegetation but there will still be glimpses of the development and people will be well aware of the fact that it is there. As a result the perception of a gap between settlements will be further reduced as a result of the urbanisation of this key corner site. It is therefore considered that the proposed solar farm will cause significant harm to the maintenance of a Strategic Gap between Slough and Greater London contrary to Core Policy 2. As a result it is necessary for it to demonstrate that it is “essential to be in this location”. It is not considered that there is a particular need for the solar farm to be in this location either in operational terms or to serve the local area. Slough already has significant electricity generating capacity. The output from the Solar Farm would be comparatively modest and so cannot be justified in terms of having any special need. The power produced by the plant would not serve a particular facility but would be supplied to the National Grid. As a result it cannot be justified in terms of the proximity principle.
- 9.32 Although the applicant has produced the results of its alternative sites assessment which show that there are a limited number of sites which have potential for solar farms there are opportunities for connecting to the grid all over the country. The main reason for rejecting sites appears to be because they do not meet stringent planning criteria. The Strategic Gap policy set out in the Core Strategy has been found to be a very high bar to development and so it is considered that this should be treated as a stringent planning policy, which the proposed development has not met and so should also have been rejected in the alternative sites assessment. As a result in view of the harm that the proposed development would cause to the Strategic Gap it is

considered that it should be refused on the grounds that it has not been demonstrated that it is essential to be in this location.

## 10.0 **Landscape and Visual Impact**

- 10.1 The key principles from the NPPF relevant to the Landscape and Visual Impact Assessment and the proposed development are to:
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
  - take account of the different roles and character of different areas; and
  - encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.
- 10.2 Core Policy 8 of the Slough's Core Strategy Development Plan Document 2006-2026 states all development will respect its location and surroundings. Core Policy 9 requires that development should respect the character and distinctiveness of existing buildings, townscapes and landscapes, and their local designations.
- 10.3 Policy EN1 from the Slough Local Plan saved policies, requires development proposals "to be compatible with and/or improve their surroundings in terms of scale; height; massing; layout;...visual impact".
- 10.4 The Applicant has undertaken a Landscape and Visual Impact Assessment which focuses to a 1km study area. The study area selected for the assessment is based on the scale of the proposal, a maximum of 3m high panels and their actual theoretical visibility considering local features including the nature of the surrounding topography, vegetation coverage and built form, which is numerous within the local area.
- 10.5 The assessment states that *"considering the maximum 3m height of the solar panels, the likelihood of the development being perceptible at distances over 1km from the site is very low."*
- It further goes to state that the *"flat topography of the local area and surrounding landscape (and built) features contain the landscape and visual effects of the development, with the localised landscape effects restricted to an area of low-medium value and sensitivity. The restricted visual effects of the development would be largely mitigated by the established site boundary features and the proposed mitigation and enhancement strategy."*
- 10.6 The outcome and results of the Landscape and Visual Impact Assessment have been taken into consideration as part of the planning process, however it is considered that the benefits of the Solar Farm do not weigh up against the harm caused to the Green Belt, the Strategic Gap and the Colne Valley Park as a result of the proposal.

## 11.0 **Traffic and Transportation**

- 11.1 The NPPF states among its core planning principles, developments should “actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable”. It requires that all developments generating significant vehicle movements should be supported by a Transport Assessment in which it takes into account all opportunities for sustainable transport modes, safe access to the site and whether there is a need to undertake transport movements which would cost effectively limit significant impacts.
- 11.2 Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document sets out the Planning Authority’s approach to the consideration of transport matters. The thrust of this policy is to ensure that new development is sustainable and is located in the most accessible locations, thereby reducing the need to travel.
- 11.3 The Council’s Highways & Transport Officer has assessed the application and raised no objection to the proposal subject to providing further information in respect of construction traffic, agreeing a routing plan and the cycle path, together with entering into a S106 agreement, detailed comments can be found in Section 6.2

## 12.0 **Ecology**

- 12.1 Legislation for the protection of wildlife and ecology in the United Kingdom includes:
- The Wildlife and Countryside Act, 1981 (as amended);
  - The Countryside and Rights of Way Act, 2000 (as amended);
  - Natural Environment and Rural Communities Act, 2006;
  - The Conservation of Habitats and Species Regulations, 2010 and
  - Wild Mammals (Protection) Act, 1996.
- 12.2 The NPPF states that the planning system should contribute to and enhance the natural and local environment by, among others, minimising impacts on biodiversity and providing net gains in biodiversity where possible.
- 12.3 Slough’s Core Strategy includes a number of policies aimed at protecting nature conservation. Developments are required to demonstrate they appropriately mitigate impacts on ecology. The policy of the Spatial Strategy is to direct development into the most accessible locations in the Borough, while protecting other more environmentally sensitive areas from over-development and which is most likely to protect existing biodiversity.
- 12.4 An Ecology Report has been submitted with respect to the proposed development, the conclusion is summarised below:
- The site currently has potential for nesting birds, hedgehogs, badger, common reptiles, common amphibians and bats. The adjacent watercourse, Colne Brook has some potential to support otters and

water voles.

- The proposed development will only affect an area of arable field, which has a low potential for protected faunal species. The proposals will enhance existing habitats on site as well as creating new habitats. Post development there will be a net increase in the ecological value of the site assuming the recommendations are followed.
- It is not anticipated that the proposal will have a direct or indirect negative impact or affect the integrity of the nearby South West Waterbodies SPA and Ramsar site or the nearby Wraysbury Reservoir SSSI and Staines Moor SSSI.
- Measures to protect adjacent watercourse during construction should be implemented and provided within a Construction Environmental Management Plan.
- No trees are scheduled to be removed as part of the development. However, if any trees on site do require removal or remedial works and have moderate or high bat potential they should be subjected to further climbing surveys to establish the absence of roosting bats.
- Consideration must be given to all new lighting specifications on site during construction and operational phases with regard to bats.
- All vegetation clearance should be undertaken outside the bird nesting season (March to mid-September inclusive for most species in the UK) to avoid disturbance or harm to nesting birds. The clearance of dense vegetation should be removed by hand in a sensitive manner to avoid harming any hedgehogs, amphibians or reptiles that may be present.
- During construction all trenches and holes should be filled in or covered overnight to ensure no animals could fall in and become trapped.
- The new landscaping scheme will seek to incorporate areas of structured native or wildlife beneficial planting. The new grassland under the solar panels will be managed to create a species diverse grassland. The seeding of the grassland with a native wildflower mix would be beneficial to increase the species diversity of the grassland. Existing trees should be retained and protected.
- Bat and bird boxes should be installed in suitable retained trees. Habitat / dead wood piles are encouraged where possible to provide habitats for reptiles, amphibians and hedgehogs.

12.5 Natural England have raised no objection to the proposal and given the above mitigation set out within the Ecology Report, no objections are raised on ecology grounds.

## 13.0 **Flood Risk, Land Contamination, Noise and Archaeological Potential**

### 13.1 **Flood Risk and Land Contamination**

The historic use of the site as a landfill gives rise to the potential for contamination to be released as a result of the development. With regard to flood risk and land contamination issues, the Environment Agency and the



Council's Land Contamination Officer have raised no objection to the proposal with regard to these matters, subject to the a number of conditions. Detailed comments with regard to the responses from the Council's Land Contamination can be found in Section 6.6 of this report and refer to the Section 6.19 of this report for the Environment Agency's comments.

### 13.2 Noise

In relation to noise, the Council's Environmental Quality Manager has reviewed the Noise Impact Assessment and no objection is raised. The nearest residential properties are located on Bath Road, approximately over 30m away, this is considerable distance to mitigate any issues with regard to noise and disturbance as a result of the proposed development.

### 13.3 Archaeological Potential

The applicant has submitted an archaeological desk-based assessment (Oxford Archaeology, June 2015, ref: 6178) with their application which assesses the impact of the proposed development on the buried archaeological heritage. This has been assessed by Berkshire Archaeology and on the basis of the information submitted, they are in agreement that previous gravel extraction is likely to have largely removed any archaeological interest in this application site. As Oxford Archaeology's report notes, it is conceivable that intact ground may survive on the very extremes of this site. However the likely small size of such areas and the generally slight construction impacts of the proposed development does not justify searching them out.

As such, Berkshire Archaeology is content that the information provided with the application addresses the buried archaeological heritage aspects of this proposal and that no further archaeological work is merited should permission be granted.

### 14.0 Other Issues

14.1 The Applicant has advised that they have offered a Community Benefit Fund that would be held in trust and managed by Poyle with Colnbrook Parish Council and could be spent on social and environmental projects to enhance the public realm within the parish. The offer would see an annual payment of £14,000 for the life of the solar farm (RPI linked). It should be noted that the initial feedback from the Parish Council was very positive and the applicants are proposing to provide a list of local projects that could potentially benefit from the fund.

14.2 At this stage the Applicant hopes that a private agreement can be made with Parish Council to secure the fund once any consent is issued and the solar farm is energised. They will be providing the Parish Council with examples of agreements they have drafted in the past with other parish councils.

14.3 Members should be mindful that any agreement will not be secured via a Section 106 Agreement as the Local Planning Authority has not been party to the discussions.

15.0 **Process**

15.1 In dealing with the application, the Local Planning Authority has worked with the Applicant in a positive and proactive manner, however it is not considered that amendments to the scheme would make the proposal acceptable, as such the development is not in accordance with the requirements of the National Planning Policy Framework.

16.0 **Summary and Conclusion**

16.1 Having considered the relevant policies set out below, the representations received from consultees and all other relevant material considerations, it is recommended that the application be refused on the grounds that it has not been demonstrated that there are any very special circumstances which overcome the harm and presumption against inappropriate development in the Green Belt.

16.2 It is also recommended that it should be refused on the grounds that the proposed development would cause harm to the Strategic Gap and Colne Valley Park and it has not been demonstrated that it is essential to be in this location.

17.0 **PART C: RECOMMENDATION**

The application should be refused for the following reasons:

1. The proposed development would cause significant harm to this fragmented and vulnerable part of the Green Belt. It has not been demonstrated that the benefits from the proposed solar farm are sufficient to constitute the very special circumstances which are necessary to overcome the presumption against inappropriate development in the Green Belt as set out in the National Planning Policy Framework and Core Policy 2 (Green Belt and Open Spaces) of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.
2. The proposed development would result in loss of important open land within the Strategic Gap at Colnbrook and Poyle. It has not been demonstrated that it is essential for the proposed solar farm to be in this location and so it is contrary to Core Policy 2 (Green Belt and Open Spaces) and Core Policy 1 (Spatial Strategy) of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.
3. The proposed development would result in the further urbanisation and loss of countryside recreation within the Colne Valley Regional Park. It

has not been demonstrated that it is essential for the proposed solar farm to be in this location and so is contrary to Core Policy 2 (Green Belt and Open Spaces) of The Slough Local Development Framework, Core Strategy 2006-2026 and Policy CG1 (Colne Valley Park) of The Adopted Local Plan for Slough 2004.