

To Kerr Brown, The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN

Via email to kerr.brown@planninginspectorate.gov.uk

My Name is [REDACTED]

My address is [REDACTED]
[REDACTED]

The Planning Inspectorate appeal reference is: APP/N1920/W/22/3295268

The address of the Appeal site is: Land North of Butterfly Lane, Land surrounding Hilfield Farm and Land West of Hilfield Lane, Aldenham

I am against the appeal proposals. I am against the proposals for the reasons given by the LPA and for other reasons, as explained below.

1. I sent my written representations against the original planning application to the LPA by email, attaching my letter to the LPA dated 15th February 2021. That letter is in the Appendix to this representation, for ease of reference. I stand by what I said in my detailed February 2021 letter. The Council Officer's report summarised the thousands of responses and, in doing so, some of the key detail was lost.
2. I addressed the LPA Planning Committee in person and I hope to give evidence to this Inquiry.

The Appellant's Statement of Case

3. I should like to comment on specific points made in the Appellant's Statement of Case and I shall do by reference to the paragraph numbers of the Statement of Case. The fact that I do not comment on something does not mean that I agree with it, rather I wish to keep the document to a reasonable length,

Paragraph 2.1

4. The Appellant states that: "The Appeal Site is semi-urban in character with some localised intrusion of man-made features." With respect, it is quite wrong to characterise the site as "semi-urban". It is, and always has been, rural in character, as a full site visit will confirm. The solar panels are proposed to be placed in what is currently a swathe of 130 hectares (320 acres) of agricultural fields, surrounded by other open land. There are localised man-made

intrusions but this makes it the more important to retain the openness between them.

Paragraph 2.3

5. The Appellant states: "Over much of the site the topography is gently undulating...". "Gently" is an understatement. The slopes make the site more prominent - especially Field 1, facing Hilfield Lodge, and Field 5, which adjoins Hilfield Castle's grounds.

Paragraph 2.6

6. The sheer number of established public footpaths shows the importance of the site for public access. The tall fencing proposed on either side of the public footpaths and the noise from the cooling fans will spoil these footpaths. To walk in a fenced corridor will be frightening to some. The pleasure of walking in Green Belt countryside is the openness. The panels would stand 3 metres tall, that is to say, taller than those walking the footpaths.

Paragraph 2.7

7. It is rare to find a site with 41 Listed buildings within a kilometre. It shows its historic importance. These Listed buildings have been individually considered and chosen for their merit and their settings should be protected and enhanced. The Appellants fail to mention that Hilfield Lodge is in residential use. The placing of panels in the sloping field opposite Hilfield Lodge will seriously impact on the setting of Hilfield Lodge, Hilfield Castle and The Gate House (which stands between the Castle and the Lodge and is also listed).

Paragraph 3.14

8. The proposed access point to the West is at Hilfield Farm. This is on a blind bend. There is already a problem with the number and size of the large vehicles going to, and from, the commercial uses in the Farm. This is not a safe place to have the access.

Paragraph 9.6

9. It is stated that: "the Proposed Development would not materially harm the sense of perceived openness of the Green Belt due to the low-profile nature of the Proposed Development.". As one who has lived at Hilfield for decades, I can avow that this is wholly incorrect. A few pigsties in a field might not affect its openness but a field full of pigsties would not look open. That is the equivalent of what we are talking about here. The sheer mass and area covered will prevent there being any sense of "openness". Also, the panels span from 0.8 metres off the ground up to 3 metres, which is significant – impeding

the view to anyone walking near them - and scarring the landscape when viewed from further away. Further, the slopes in the site would make the panels more prominent, from both near and far.

Paragraph 9.12

10. What was, or was not, within the associated parkland of Hilfield Castle and Hilfield Lodge on historical maps is not the correct test. Albeit I believe that Hilfield and the appeal site were once in common ownership, that of Lord Aldenham's Settled Estate. The correct test is the effect on the setting of the listed buildings now and for the future.

Paragraph 9.13

11. This development would have a significant adverse impact on the character, amenity and visual quality of the area and the Appellant cannot invoke support from Policy DM2, as the Appellant claims. The 2013 Local Plan prioritises protection of the environment before the provision of renewable energy.

"The built and natural environment

2.56 Protecting the high quality environment of the Borough will be a priority. The quality of the Borough's historic and natural heritage, its diverse wildlife and habitats and the character of its landscape will be safeguarded and enhanced through action by the Council and its partners. The openness of the Borough outside the urban areas will also be protected by maintaining the Green Belt. Consequently, three environmental themes run through the development plan and will need to be applied to all new development in the Borough:

- protecting and enhancing environmental assets
- the prudent use of natural resources
- the promotion of high quality design which respects local character

2.57 The protection and enhancement of environmental assets, together with the prudent use of natural resources, will require an increased commitment from developers to use (a) sustainable design and construction techniques and (b) renewable energy sources. Measures which achieve this will be sought by the Council in order for new development to be considered acceptable."

Paragraph 9.14

12. Policy SP1 does not support the proposed development. Policy SP1 includes the following, which are not satisfied:

"..... Accordingly new development will be required to prioritise the efficient use of brownfield land in delivering the land use requirements of the private sector, local service providers and the different needs of the hierarchy of settlements across the Borough. There will be a focus on prioritising development opportunities in Borehamwood but all existing built up areas within urban settlements will be expected to accommodate opportunities which arise for meeting local housing, jobs growth and other development and service needs.

All development across the Borough should:

- i) ensure a safe, accessible and healthy living environment for residents and other users of a development;
- ii) conserve and enhance biodiversity, protected trees, and sites of ecological value in the Borough and provide opportunities for habitat creation and enhancement throughout the life of a development
- iv) be of high quality design and appropriate in scale, appearance and function to the local context and settlement hierarchy, taking advantage of opportunity to improve the character and quality of an area;
- v) avoid prejudicing, either individually or cumulatively, characteristics and features of the natural and built environment
- vii) avoid inappropriate development in the Green Belt;
- x) be constructed and operated using a minimum amount of non-renewable sources and be required to use energy efficiently, such as from decentralised and renewable or low carbon sources;
- xii) do not create an unacceptable level of risk to occupiers of a site, the local community and the wider environment
- (xiii) conserve or enhance the historic environment of the Borough in order to maintain and where possible improve local environmental quality;

Paragraph 9.19

13. Each of the matters, which the Appellant asserts weight in the Appellant's favour, need to be considered carefully to see the balance actually lies against the Appellant, thus:

Generation of renewable energy

- (1) There are ways of generating renewable energy that do not require so much energy "up front" (to manufacture the panels, transport them and fix them in place) and do not involve destroying hundreds of acres open countryside. It is not only energy we need for a sustainable future. We need food grown in the UK. This has been made abundantly clear with Brexit, Covid lockdowns and now the war in Ukraine. These fields have always been put to agricultural use and have always produced crops. They should continue to do so.

Provision of landscaping enhancements

- (2) Any enhancement will be outweighed by the presence of the panels, the tall fencing around them and the noisy inverters/transformers.

Provision of biodiversity

- (3) There will be damage to the natural sustainable biodiversity of the area through the panels and fences. Especially the fences, which will prevent the free movement of ground animals, such as deer, foxes and badgers. We are not short of sheep and lambs in the UK.

Provision of 2 new permissive rights of way.

- (4) These are not even offered as permanent. Any benefit from this proposal is outweighed by the damage to the public footpaths.

Economic benefits

- (5) Yes, there will be economic benefits for the landowners, developers and the generating company. That type of economic benefit is not material for planning purposes. It is merely the spring in the clockwork for this development. The economic benefits of the construction phase will be outweighed by the long-term damage to the Green Belt countryside.

Education Strategy

- (6) The same strategy can already be provided at other sites. It would be better to keep open fields for the children to enjoy before they are grown up, in 35 years' time.

Improvements to the soil

- (7) This is an attempt by the Appellant to pull itself up by its own bootstraps. There is no point in improving the soil when the growing of crops is proposed to be stopped for, at least, 35 years.

Aiding Farm Diversification

- (8) Hilfield Farm has diversified quite enough, indeed far too much. New commercial development in Green Belt is contrary to local and national policy. From a working farm, Hilfield Farm has been turned into a sizeable industrial/commercial business site. This sea change, involving a number of large new buildings, as well as changes of use and the creation of large areas of hardstanding has happened with a minimal number of planning applications and thus the minimum involvement with the protective planning process.

Paragraph 9.20

14. The matters which the Appellant asserts are neutral in the planning balance are not really so.

Residential Amenity

- (1) There are a significant number of houses whose amenity will be seriously damaged by the proposed development. In my view, the word "blighted" would not be too harsh a word to use. Such damage to residential amenity is a material consideration and should not be ignored. It is not neutral.

Flooding and drainage

- (2) Hundreds of acres of hard surfaces will tend to lead to faster water run-off and greater risk of flooding downstream.

Highways and Transport

- (3) The proposed entrance in Hilfield Lane is in a wholly inappropriate location. There is a risk of glint and glare affecting road users on Hilfield Lane and the A41. There is also a risk of glint and glare affecting pilots going to and from Elstree Airport. It is a teaching centre for pilots.

Noise

- (4) The noise from the cooling fans in the inverter/transformers has been wholly incorrectly described as a "hum". It is much more than that. We are talking about proposed use of cooling fans, which make a significant noise. The levels of noise proposed by the Appellant are all far too high. This issue cannot just be "conditioned" away. The Appellants have not proposed an acceptable level or shown how one could be provided. Why should the residents of this area have to live the noise of fans as loud as lawnmowers, all day long on warm days for 35 years?.

15. In all the circumstances, I invite the Inspector to dismiss this appeal.

[REDACTED]

[REDACTED]

5th June 2022

APPENDIX

**HILFIELD LODGE,
ALDENHAM,
WATFORD,
HERTS.
WD25 8DA**

Hertsmere Borough Council

By email to: consult.planning@hertsmere.gov.uk

15th February 2021

Town and Country Planning Act 1990

Application Number 21/0050/FULEI

Land North of Butterfly Lane, Land Surrounding Hilfield Farm and Land West of Hilfield Lane, Aldenham, Hertfordshire

Dear Sirs,

1. I write to object strongly to this planning application.

The proposal

2. The proposal to destroy openness and beauty of hundreds of acres of green belt farmland, for a period of, *at least*, 35 years or more, is outrageous. It will be the biggest destruction of open countryside, in any one proposal, in the history of Hertsmere. We are talking about the destruction of 320 acres of beautiful open Green Belt countryside.
3. The proposal site is far too large. A site producing 5 Megawatts is one thing but a site large enough for 49.5 Megawatts is quite another thing. The recent subsidy level was not set at 5 Megawatts for nothing. No single area should suffer an intrusion on the massive scale of the proposal.

Green Belt

4. The proposed solar farm is plainly inappropriate development in the Green Belt, (see paragraph 147 of the NPPF). The NPPF requirement for very special circumstances has not (and cannot) be shown to justify the proposal proceeding. This site is the most valuable area of Green Belt land because it is where it is most needed, to retain openness between built structures and to provide “a lung” for the well populated towns and villages all around it. Solar farms are not planned for in the Local Plan and are not given any special planning status.

Topography

5. The sloping ground of Fields 1 and 5 makes them very prominent. Any panels in these fields would destroy the long countryside vistas, over the project site, from Bushey, the Hilfield estate and Hilfield Lane. The residents across the valley, in Bushey, should be consulted. Furthermore, the sloping ground will make any screening ineffective, as one would see the rising land above and behind the screening. The sloping ground also means that the panels will be even higher at one corner. The glint and glare of South facing panels on a West-East slope, in Field 1, would be appalling. The impact on North bound traffic on the A41 and M1 and Elstree Aerodrome needs to be carefully considered.

Elstree Aerodrome

6. Glint and glare from the panels is of great concern for the safety of those living around Elstree Aerodrome. There have been several fatal accidents over the years, involving planes leaving, or approaching, Elstree Aerodrome. Elstree Aerodrome is a busy airport for planes and helicopters. Planes land and take off both from the East and the West. Helicopters take off and land in all directions. It must borne in mind that this is a training airport. The trainee pilots do circuits over the fields proposed to be developed. An inexperienced could well be caught off guard by a sudden glint and glare of the sun, reflecting off the fields of panels.

Public footpaths

7. The project site is threaded with, and bounded by, long stretches of much used public footpaths. The enjoyment of these will be destroyed by a sea of unattractive structures and impenetrable fences, not to mention the significant noise from regularly spaced cooling fans. These will be especially objectionable in summer, when the footpaths would normally be most used. What pleasure will there be in walking in high fenced corridors, between serried rows of unattractive man-made structures, with buzzing fan coolers? Answer– none. The footpaths will be totally spoilt and unusable. That is to say, lost to the public.

Wildlife

8. The proposal will lead to the loss of the wildlife, which is associated with the long-term largely unfenced agricultural use of the land, which mostly involves ploughing the land and taking crops. Such crops are more in need with the UK's exit from the EU and the unpredictable Covid restrictions on cross border transport. There will also be a loss of breeding and feeding grounds for many species, due to large areas of land being ring fenced. The area in, and around, the site is populated with many wild deer, pheasants and many rare and common wild birds. Hilfield Reservior is a Nature reserve. Our garden is the equivalent, as we encourage the wildlife of all sorts to thrive.
9. If the proposal were implemented, then the deer would be enclosed either within, or outside, their natural breeding, and feeding, grounds and in smaller areas, some with nowhere to run and hide. There is also a very significant local population of newts in this area – particularly great crested newts. There are three Kites that regularly hover over the Western boundary of our garden and over Field 1. These magnificent birds

swoop down on prey in Field I. Fortunately, the Kites have escaped the people who shoot all summer long on Field 1. A significant part of Field 1 would be obscured from view of the kites looking for food, if Field 1 were to be filled with solar panels. The loss of ploughed agriculture would also lead to a loss of food for the Kites' prey (and hence lead to less prey). Ecosystems are delicate. If you destroy or damage one habitat, you can destroy or damage the habitats of species all around.

Sustainable Food Production

10. The loss of the agricultural land, which has historically always been used for growing crops, is a step in the wrong direction. It will lead to a loss of food crops, at a time when we should be increasing sustainable UK production, to reduce the greenhouse effect of transporting food worldwide. 320 acres is not insignificant. We are talking about thousands of tons of crops annually. It is not accepted that the land is not of good agricultural quality. This needs to be independently checked. The fact the land has always been used for agriculture is ample proof that it is valuable land in agricultural terms.

Noise

11. The Noise Assessment plan shown at the Applicant's consultants' presentation showed, in purple, the areas where it was proposed there would be noise generation in the bracket 60-99dB(A). This is a ludicrously high noise level. Quieter cooling methods are available. 80dB(A) is the level at which long-term exposure can lead to hearing loss. 90 dB(A) is the level at which short-term exposure may lead to hearing loss. At each cooling station, we are talking about the noise of multiple petrol driven lawnmowers running all day and especially on hot days, when people are most likely to have windows open, be in the garden or out walking or cycling. It is the sort of level that would lead to Court proceedings for nuisance.

Minimum amelioration measures

12. The prevailing wind comes from the West in this area. This will tend to carry the noise from Field 1 to the residences in Hilfield Lane. Noise should be kept away from residences. That has not been done.

The proper planning process

13. The proposal should be treated as one for 50 Megawatts, with the appropriate planning treatment for such a site. It is disingenuous to advance a 49.5 Megawatt site, with the aim of avoiding a fuller consultation and consideration. A site of 40 Megawatts might be distinguishable in effect from one for 50 but the difference between 49.5 and 50 is not sufficient to merit wholly different planning treatment. We are talking about only a 0.5% difference. We were told at the developers' presentation that the latest technology would be used. It is likely that the proposed panels will, in no time, be capable of a greater than 50 Megawatt output. Anyway, who can tell the output, to within 1 percent accuracy – before it is built? That said, if this proposal is not treated as a 50 Megawatts site, then the planning application should still be "called in" for a decision by the Secretary of State or it should be put under the same stringent scrutiny. The fact that

49.5MW had been chosen does not suggest any confidence by the developers that the site would satisfy a full national level of scrutiny on environmental and other grounds.

Listed Buildings

14. The placing of panels in either Fields 1 or 5 would destroy the setting of the three Listed buildings at Hilfield. Field 5 adjoins the North drive to Hilfield Castle. Field 1 is directly in the face of Hilfield Lodge. On a personal level, solar panels in Field 1 will ruin our view and the setting of our home, which he have worked maintain and enhance over decades. Field 1 rises away from Hilfield Lodge. This will make the Field 1 even more prominent, in relation to this Listed building. The developers have pulled the panels back a short distance from Hilfield Lodge but only enough to avoid land that is regularly flooded and waterlogged. The proximity to Hilfield Lodge can be judged by the fact that the developers plan the panels to go closer to Hilfield Lodge than the line of power cables and pylons, (which are depicted on the plans). The developers are not now proposing panels in Field 5. It is obviously right to avoid panels in Field, given it lies in a long vista to Hilfield Castle and lies directly below the low flying aircraft coming into land, and taking off, from Elstree Aerodrome. At the other end of the site the proposal impacts on the listed buildings Aldenham School and Haberdashers School and Slades Farmhouse.

Construction and maintenance traffic and machinery

15. The construction and maintenance traffic and machinery, on the roads and in the fields, will be very disturbing for the many residents and will frighten away, or kill, a significant amount of wildlife. The noise of the cooling fans will discourage wildlife and destroy safe habitats for wildlife. The power hub at Hilfield Farm could not be worse placed for large vehicles. The entrance is in the middle of a sharp bend in the road, with next to no visibility to the North. There is already too much traffic going to, and from Hilfield Farm, which has grown, through change of use and new buildings, to become an industrial/commercial estate. Large lorries reverse into the site on that blind bend. The traffic speeds in Hilfield lane are fast – faster than they should be. There was recently a bad accident on this bend. A car failed to manoeuvre round the bend and went deep into the trees and bushes to the side of the bend. The wrecked car had to be removed by crane.

Power Lines

16. There are high voltage power lines in Field 1. If a power conductor were to fall, onto a sea of solar panels, then serious repercussions would result. There are also power lines, feeding London, in a large tunnel running underground under Field 1.

Flooding

17. Field 1 already suffers from significant surface water build up, alongside Hilfield Brook. A sea of hard surfaces, on the sloping field, would lead to faster water run-off. This will pose a risk of flooding in the field and further downstream. We live in times of ever-increasing numbers of flash storms and floods. “1 in a 100 year” floods are now regularly happening over periods of just a few years.

This is not a “Green Development”

18. This is not a “green development”. It is no more “green” than using the fields to erect factories to make electric cars to reduce global warming and then claiming its green because the cars will be electric. Unsurprisingly, very large solar panel farms in open Green Belt countryside, do not form any part of the Government Strategy for renewable energy to 2050, in the Energy White Paper published on 14th December 2020.

Restoration

19. It is unlikely the land will ever be restored to agricultural Green Belt land. A bond for many millions would need to be in place, to cover the practical removal. The reality is, however, that once it has been turned into a “brownfield” site, it will never be restored to agricultural Green Belt land. This application (itself a disaster) is the thin end of the wedge.

Consultation

20. Whilst there has been a significant response to the application, the planning authority should take into account that there would have been more in “normal times”, given the huge impact of this scheme. This is because the developers have chosen to put in an application at a time of Covid lockdown and the public consultation period is short. Further, there has been inadequate time to research and counter the many supporting documents. I was unable to download one item from the Council’s website and had significant difficulty with others; e.g. a plan that should have just shown where the panels were to go, showed them filling up and going again, which took a long time to download. This is not a criticism of the Council. The Applicant should properly have provided documents that could be readily downloaded by the public.
21. As this letter has taken some time and effort to write and is sent to assist the planning authority in reaching the right decision, I should be most grateful if you would acknowledge safe receipt of this letter, sent by email.

[REDACTED]

[REDACTED]

[REDACTED]