

Mill Hill Preservation Society founded 1949



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For the attention of Mark Springthorpe, Case Officer

Major Development Team
London Borough of Barnet
2 Bristol Avenue
London NW9 4EW

4th February 2020

Your ref: 19/6641/FUL

Our Ref: JL / jl / mhps planning group

Sent only by email to: mark.springthorpe@barnet.gov.uk

Dear Mr Springthorpe,

TOWN AND COUNTRY PLANNING ACT 1990:

SITE: Land Adjacent to the National Grid Sub-station Partingdale Lane London NW7 1NS

PROPOSAL: *Installation of a gas peak power facility generating up to 49.9MW of electricity including Electrical Transformer Units; Electrical Sub-Station; Gas Kiosk; Oil Storage Tanks; Compressed Air Building; Associated works and provision of parking bays and security fencing and lighting*

PLANNING REFERENCE: 19/6641/FUL

Background:

This application follows on from application 19/3235/ESR which was to determine whether an Environmental Impact Assessment (EIA) was required for this installation. The Society argued that it was, but the Council decided it was not. Our letter of objection dated 8th July 2019 is attached to this submission as we believe the same points are relevant to this application. MHPS appreciate an EIA will not be provided, but we wish the letter to be documented.

How does the National Grid work? The National Grid distributes electricity across the country. The National Grid connects power stations to homes, workplaces and public buildings all around the country. The electricity may be produced by a conventional power station turning a generator or by another method, in any location. By any location we mean it could be a wind farm in the Irish Sea, a solar farm in Cornwall, or a nuclear power station in north – east England. The beauty of the system is that electricity can be generated at the most appropriate locations. The argument here is whether this location in the Green Belt and adjacent to residential homes is appropriate and MHPS believe it is not.

Assessment:

The application site falls within the designated Metropolitan Green Belt, within which development is restricted. This proposal does not fall within any criteria set out in the exception clauses within paragraphs 145 and 146 of the National Planning Policy Framework (NPPF), accordingly, the proposed development is inappropriate development within the Green Belt, for which the Applicant need to demonstrate a need for the proposal and undertake a sequential test to demonstrate that this is the best location available for this proposed development. Only then will they have appropriately demonstrated that there is an exception to Green Belt policy that will enable this application to be looked upon favourably. The Applicant has failed to provide any evidence to demonstrate 'very special circumstances' that would allow this application to proceed pursuant to paragraph 144 of the NPPF.

On the issue of openness of the Green Belt: *Timmins v. Gedling Borough Council* [2014] EWHC (admin) established that any construction harms openness quite irrespective of its impact in terms of obstructiveness or its aesthetic attractiveness or qualities. The application site is an open field surrounded by trees adjacent to the existing sub-station and it is not comprised of any buildings or structures, nor is it industrial by nature. We contend therefore that the mere presence of the Gas Generating Plant causes harm to the openness of the Green Belt and constitutes inappropriate development.

Paragraph 143 of the NPPF sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be appropriate except in very special circumstances. Paragraph 144 emphasises that local planning authorities "*should ensure that substantial weight is given to any harm to the Green Belt.*"

A fundamental aim of Green Belt policy, as set out in paragraph 133 of the NPPF is to prevent unrestricted urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence. It is necessary to consider the spatial and visual aspects of openness.

The proposed development would introduce two blocks of gas generators, one block comprising five modules, the other six modules, each module being some 9.5 metres high with exhaust flues at 11 meters high. With a length of 26 meters each block will form massive bulk approximately 26 x 26 metres square. There will be numerous other constructions on the site: an electrical control room, gas kiosk, compressed air building, station service transformer and a mains step-up transformer. There will be a considerable length of new roadway to access the plant. This is not architecture, but uncompromising operational development with an ugly machine-like aesthetic. Covering an area of approximately 0.89ha the extensive amount of built form, extending in part to 11m in height as noted, will be visible from many vantage points around the area and will present a clear urbanisation of this site. The facility is also proposed to be permanent, with no timescale put on its removal.

The impact on views will be considerable. The adjoining Millbrook Park intensification area is on higher ground just across Partingdale Lane and their amenity will be damaged. There is a visual dimension to the openness of the Green Belt and long distance views will be affected, and will have a visual impact on openness.

We can also see from the drawings that visual screening of the plant is poor. Plant of up to 11 metres high will not be screened by 2.5 metre high hedges and fences. Also the two blocks of plant are widely spaced so effective screening becomes impossible.

The adjacent footpath passes with a few metres of the new plant and this will be overbearing. The Society believes that an installation of this nature requires an Arboricultural Impact Assessment and then a detailed landscaping scheme to demonstrate meaningful landscaping. It is unclear what the proposed Ecological Enhancement Areas are meant to achieve. They will not assist with long views or screening.

It can therefore only be concluded that the development would lead to a loss of openness and, through that loss, an intrusion or encroachment into the countryside, thereby conflicting with one of the five purposes of the Green Belt set out in paragraph 134 of the NPPF. Applicant has not demonstrated that the proposed development won't affect the openness of the Green Belt and no alternative sites have been considered nor that 'Very Special Circumstances' exist.

The Council's attention is drawn to two appeal decisions that are associated with similar facilities within the Green Belt; appeal reference APP/P0119/W/18/3204304 in South Gloucestershire and APP/Z2315/W/17/3187464 in Burnley. In both cases the appeals against planning refusal were dismissed by the Inspectors involved and we quote Michael Moffoot (Burnley) who concluded... *"Although the energy benefits of the proposal carry significant weight, they do not clearly outweigh the harm by reason of inappropriateness and the other harm identified. The very special circumstances necessary to justify inappropriate development in the Green Belt do not therefore exist."* These two cases are very relevant to this application and are attached to this submission.

Barnet Council **Policy DM15: Green Belt and open spaces** states:

"a) Green Belt/Metropolitan Open Land

(i.) Development proposals in Green Belt are required to comply with the NPPF (paras 79 to 92). In line with the London Plan the same level of protection given to Green Belt land will be given to Metropolitan Open Land (MOL)."

(ii.) Except in very special circumstances, the council will refuse any development in the Green Belt or MOL which is not compatible with their purposes and objectives and does not maintain their openness. The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making."

It is important to consider what the Mayor of London has to say on the use of the Green Belt. We quote a recent letter dated 11th December 2019 from Sadiq Khan to Richard Knox-Johnston, Chair of the London Green Belt Council in which he states *"I have made no secret of my commitment to preserving and enhancing the Green Belt."* As part of argument the Mayor explains what the Green Belt should be used for... *"It provides for many benefits including ensuring transport emissions do not increase from sprawl; supporting London's resilience to a changing climate, as well as supporting food growing; providing important habitats for wildlife and allowing space for recreation and relaxation for Londoners."* All these ambitions will be impacted by this proposal.

An important aspect raised by the Mayor is that of not increasing pollution. The location of the sub-station in the Green Belt is effectively carbon neutral, being merely a distribution centre. This is certainly not the case with the Gas Generating Plant.

We quote from the Applicants report on Air Quality Assessment where the main pollutants will be dust, Nitrogen Dioxide and Carbon Monoxide. Both of these gasses will lead to increased global warming and will affect both humans and wildlife.

The assessments made relate to estimated periods of use of the plant and we fail to see how the future use of the plant can be established. Prevailing winds will blow these offending gasses over adjoining residential areas. Just as important is wildlife, and the Applicant states there are 15 Sites of Importance for Nature Conservation (SINCs) within 2 km of the site.

The proposed development site is located within the Mill Hill Substation Pastures SINC which is a SINC of Metropolitan importance. All the charts and diagrams show the gasses as 'Negligible, but the Mill Hill Neighbourhood Forum has calculated that the emissions will be the equivalent of 463,000 standard petrol vehicles, each driving 5 km in the area, on any day the plant is used. (We shall not repeat their figures here as we know their submission has been made to the Council.) Whilst this application asserts that this is a renewable energy facility, it is perverse that such emission levels would be associated with 'renewable energy'.

Conclusion:

To summarise, we are concerned with the following:

1. Harm to the Green Belt and its openness
2. The development conflicts with the purposes of the Green Belt
3. The application does not comply with DM15
4. The application does not demonstrate very special circumstances
5. The proposal does not meet the Mayor's policies on climate change and wildlife habitat
6. Air pollution data is inaccurate and its impact significantly greater emissions
7. Lack of meaningful landscaping

For these reasons we believe this application must be recommended for refusal and refused by the planning committee. A more appropriate alternative location away from residential areas needs to be considered by the Applicant, and certainly not on the Green Belt or Metropolitan Open Land.

Yours sincerely

John Living - Honorary Architect
On behalf of MHPS Planning Group

Copied by email to: MHPS planning group
Emma Watson LBB; Matthew Offord MP; GLA Representative: NW7 Councillors: