

LPA response to EA Q 8.0.1

Q 8.0.1-Green Belts, Planning Statement [APP-202]

The Applicant has made the case for the proposed development in the York and Leeds Green Belts in its Planning Statement in relation to the NPS [APP-202], Sections 7.3, the National Planning Policy Framework (NPPF) [APP-202], Section 7.4 and the local planning context [APP-202], Appendix C.

It appears from your RRs [RR-018], [RR-018], [RR-032], [RR-034] that you disagree with the Applicant's differentiation between overhead line (OHL) work in the Green Belts and substation and CSEC work in Green Belt in terms of whether they are inappropriate development and also whether it would conflict with the purposes of land in Green Belt [APP-202], page 90 to 91.

Whilst acknowledging this information is likely to be provided in your Local Impact Report(s) (LIR) and/ or SoCG(s), to assist the ExA's Green Belt balancing exercise, you are asked to ensure your views on the following are provided in response to this question if not included elsewhere.

RESPONSE

The views of the NYC are clearly set out on the Green Belt in the draft LIR on pages 14 to 17.

a) Whether the Proposed Development (or any part of it) would, in your view, be inappropriate by reasons of effect on openness having regard to the NPPF and relevant development plan policies.

Elements of the application proposal would constitute engineering operations, whilst others would be considered as structures. Paragraph 149 of the NPPF applies to structures/buildings. Paragraph 150 of the NPPF applies to engineering operations.

The NPPF sets out at para 149 that the construction of new buildings in the Green Belt is inappropriate unless it falls within the closed list of exceptions set out at para 149 a) to g). Some elements of the scheme (e.g. the Pylons, overhead lines, any buildings, enclosures, boundary fencing or most operational equipment) are structures and do not fall within any of the categories in para 149. Therefore, they are inappropriate development which is harmful by definition and Very Special Circumstances (VSC) will be needed to clearly outweigh the harm by definition and any other harm identified.

Other elements of the scheme such as underground cabling, ground works, engineering works, temporary construction sites etc., are engineering operations to which the Examining Authority should have regard. Where within a Green Belt the NPPF at para. 150 sets out that certain other forms of development (which includes engineering operations) are not inappropriate where they;

- 1) preserve the openness and
- 2) do not conflict with the purposes of the including land in the Green Belt.

Where they fail 1 or 2 above, they would be inappropriate development by definition and Very Special Circumstances would be required to clearly outweigh the harm by definition and any other harm resulting from the proposal.

It is considered that most elements of the scheme whether it is a building or engineering operation will have an impact on the openness of the Green Belt and is therefore inappropriate. Overall, the Authority is of the opinion that the scheme would result in a number of 'structures' and operational equipment which would have a significant impact on the openness of the Green Belt due to the increased size of the substation at Monk Fryston, the scale of the development, the presence of additional pylons, overhead lines, operational equipment and infrastructure at this location and across the projects location.

b) Whether you consider that there are differences between any elements of the infrastructure proposed (substations/ CSECs/ new OHL/ modifications to existing OHL) in terms of being inappropriate or not inappropriate.

Yes. It is considered that some of the engineering operation elements of the scheme can be considered appropriate development due to being engineering operations with limited visual and spatial impact. Elements with limited visual impact would include the modifications to the existing overhead lines, modification to existing pylons, replacement equipment and infrastructure on a similar basis, underground cabling, or underground infrastructure. These would have little impact on the openness and therefore, in accordance with paragraph 150 of the NPPF, are not inappropriate.

Other elements may fall within the definition of 'engineering operations' but due to the very limited impact on openness, would not be appropriate development. The LPA consider that additional OHL may have limited impact being wiring with views through at a high level.

Most other infrastructure elements, which are buildings/structures such as the substations, the pylons, etc would not fall in the definitions of either 149 or 150 of the NPPF and will impact on the openness therefore are not appropriate development. These would have both spatial and visual element which would reduce the openness of the Green Belt. Some parts would have a greater impact on openness than others, but they are inappropriate development which is harmful by definition and Very Special Circumstances (VSC) will be needed to clearly outweigh the harm by definition and any other harm identified.

c) Specifically, do you consider that the proposed raising the height of existing pylons would have an effect on openness?

It is not considered that raising the height of the existing pylons would have an effect on the openness. Given the pylon is already there, the increased height would not be readily noticeable and would have a limited visual and spatial impact.

d) Whether any part of the Proposed Development would benefit from any of the exceptions set out in the NPPF (paras 149 to 150).

As stated above only the replacement of OHL's, any underground cabling/infrastructure or the replacement of equipment on a like for like basis would benefit from the exceptions in paragraph 150 due to being engineering operations which preserve the openness and do not conflict with the purposes of including land within the Green Belt. are engineering operations.

e) Whether you consider that openness would be preserved or whether the Proposed Development would have a greater impact on the openness of the Green Belt than existing development.

All the new development within the Green Belt would introduce buildings, structures and equipment where none exist at present. These will have a greater impact on the Green Belt than exists at present.

In relation to the Monk Fryston substation site, the land is currently open and undeveloped. Although it sits next to the existing substation, the majority of the proposed site would become covered in equipment, buildings, fencing up to 15 metres in height where currently there is none. Consequently, even though the site is a small part of the Green Belt, the site would become developed and industrialised and the spatial and visual effect on openness would be significant.

The proposed coupling stations at Tadcaster east and west would similarly also introduce new structures and equipment where none existing at present. These will have a greater impact on the Green Belt than exists at present.

The additional pylons within the Green Belt will have a greater impact on openness introducing a very large, tall structure, where none exist at present. Although the structure would not be solid and would be open metal lattice with views through, nevertheless, it will introduce still be a very large new structure within open land away from existing buildings and structures. These will impact on the openness of the Green Belt significantly.

Tadcaster

f) Identify the geographical areas where you consider openness would be harmed.

Monk Fryston Sub station, Tadcaster coupling stations, sites of new Pylons.

g) Do you consider that there is any other non-Green Belt harm which should be considered in the balance, if so set out what this would be.

The LPA has not assessed all other aspects of the development.

May be in a better position to assess this later. At this stage issues are still under discussion and consideration.

Ultimately this is a matter for the EA to assess in the balance.