

# Object to Proposal

Application number: 14/3732/FUL

Name: Mr E Randall

Date and time: 29-10-2014 14:40

Comment type: Object to Proposal

## **Comment:**

Thames Anglers' Conservancy

28th October 2014

Dear Sirs,

I am writing on behalf of the Thames Anglers' Conservancy (TAC) to formally object to the new planning application 14/3732/FUL from Teddington & Ham Hydro to build an industrial hydroelectric power plant on Teddington Weir.

The TAC represents more than 1500 anglers who aim to protect and enhance the river Thames environment and promote responsible river use. We conduct regular voluntary work along the Thames and tributaries, including installation of fish passes, fish and invertebrate monitoring, habitat enhancement and maintenance. We liaise with interested parties including the Environment Agency, Thames Water, ZSL, London Wildlife Trust, Thames 21 and others.

The TAC registered its objection to the original 2011 application 11/3908/FUL on a number of grounds. We continue to strongly oppose the new application and would like to highlight the following reasons:

The new application does not satisfactorily address any of our previously raised concerns. Furthermore, we question the Council's decision to allow the developer to submit a new application. The new application does not provide any significant new material, nor counter the numerous issues raised by objectors to the original application. The environmental impact assessment decision Correspondence-1645740.pdf has been carried over from the previous application. We suggest that, if any single document has been carried over from 11/3908/FUL, then all previous comments should also be carried over.

The fish and invertebrates survey conducted for the 2011 application was deeply flawed. The survey was conducted during highly atypical conditions and failed to register a number of significant fish and invertebrate species that are proven and well known to be resident in the weirpool, including rare, endangered and protected species. In 2013/14, after the survey was conducted, the Thames catchment area was subject to severe flooding and there is evidence that the Hydromorphology of the river has changed, necessitating further investigatory work. The developer has not submitted any new hydrological or fish surveys to address previous failings or investigate subsequent events.

The Council incorrectly decided that an Environmental Impact Assessment (EIA) was not required in 2011. The proposed scheme exceeds the 0.5MW threshold as defined within the Town and Country Planning Regulations 2011. Provisions relating to screening under the 2011 Regulations require an assessment be made to determine whether a proposed project is likely to have significant effects on the environment. The decision by the council at that time was incorrect and did not take into account key factors: the characteristics of the development; the location; and the potential impact. The developer should be required to provide all of this information and the council should insist that an EIA is done to protect the environment. Any decision will otherwise be subject to legal challenge.

We question the role of the Environment Agency (EA) in being a Statutory consultee for this development for a number of factors. The EA have a conflict of interest in assessing the suitability of this scheme, as they will be landlord and owner of the structure. They will receive an income from the developer through rent whilst acting as the licensor for the scheme. The TAC challenges the impartiality of the Environment Agency and questions whether any other planning application that

Richmond Council has assessed or will have to assess in the future could be subject to such a conflict.

Under European Eel Regulation (EC) No 1100/2007 the UK is required to establish measures to halt and reverse the decline in European eel (*Anguilla Anguilla*) stocks, which have collapsed since the 1990s. In their lifecycle, juvenile eels migrate from the Sargasso sea to make their way up rivers and lakes. Later, mature adult eels leave the river basin and return to spawn in the Sargasso Sea. Free and safe passage is therefore fundamental to their survival. Article 2 Section 8 explicitly states that an Eel Management Plan may contain measures including the temporary switching-off of hydro-electric power turbines.

The Environment Agency Eel Regulations 2009 in particular make specific requirements regarding the screening of intakes and pass design. Other examples of hydropower schemes have been proven to damage adult fish and eels that pass through turbines. We strongly recommend that the council take independent advice and research on potential detrimental effects on eels. It would be a breach of the 2009 regulations to approve a scheme which damages eel stocks.

In 2013 the new Hydropower Good Practice Guide (GPG2) was published by the Environment Agency after considerable and lengthy consultation. We see no reference to this in the application and as a new application it must be subject to the same set of standards.

We have major concerns over the potential flows rates over the weir and how this will affect migratory Salmonid species. We acted as a consultee regarding investigations into the impact of abstraction on the Lower Thames and the Lower Thames Operating Agreement (LTOA). These extensive investigations looked into the pressures the river is under which includes low flows during the summer period and poor water quality due to untreated sewage entering the river from the Victorian sewerage system. Analysis showed that Salmonid river entry was at its peak when the pass-forward flow over Teddington was at 900 megalitres per day (MLD) and only 5% of fish migrate at flows below 430 MLD. Pass forward flows of below 700 MLD can also be associated with low dissolved oxygen levels in the Teddington to Richmond Pound. The report also states that flows below 1000 MLD could lead to temporary loss of fish spawning habitat and therefore a degradation in juvenile fish stocks. We strongly recommend that the council takes independent advice as to the pass through flow over Teddington Weir and the severe impact an industrial Hydropower scheme will have in reducing energy and flow from and already under pressure and critically balanced environment.

Having observed and scrutinised the introduction and development of the scheme from the outset, our considered opinion is that the development is poorly planned, unfit for purpose, and will only benefit a small group of privileged investors. The minimum investment in the scheme is set at £1000, which effectively excludes genuine community economic benefit through small shareholdings. It is also highly reliant on Government subsidies, which would be better used on genuine environmental and carbon saving schemes.

The developers claim that the scheme will generate local employment, but the only evidence for this is a single, poorly paid job. It is highly disingenuous to suggest that this is a genuine, community led scheme. Furthermore, the developers have provided no evidence that they are capable of building and running a scheme of such size and complexity. The scheme claims to benefit the local environment, but any electricity that is generated will be fed back into the national grid and offer no local benefit, only subsidised profits to the shareholders.

In environmental terms, the carbon savings claimed by the developers are highly questionable. The developer has little or no understanding of, or willingness to properly assess, the impact on the riverine ecosystem. It puts a number of specific species known to inhabit and pass through the weirpool at severe risk, and threatens to degrade river ecology as a whole.

The noise impact has been extensively investigated and proved that will have a severe impact. The historical heritage of the weir and the local area will disappear and the amenity that the weir and its surroundings provide to local residents and visitors to the Borough alike will be lost.

We urge the council to reject this application.

Yours faithfully,

Ed Randall

TAC Secretary.