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00:03

Good morning and welcome everybody to today's issue specific hearings eight for East Anglia, one North and East Anglia to offshore wind farms. Before we introduce ourselves, can I just check with the case team that you can hear me and that the recordings and live streams or captions have started and are switched on?

00:21

Good morning, John can confirm that the livestream has started and the recordings are on and on behalf of the casting, we'd like to wish you a Happy 21st birthday. Have a good one.

00:33

Thank you very much, Mr. Williams. Okay, moving on quickly to introductions. My name is John Hockley. I'm a member of this panel, which is examining authority for the East Anglia one North offshore wind farm application and have another panel which is examining authority for the East Anglia to offshore wind farm application. I'm in the chair today and will lead the questioning. Now ask the other members of the panel present today to introduce himself.

00:59

Hi, good morning everybody. My name is Ron Smith. I'm the lead member of these panels but on this occasion, I will be mainly observing and asking questions today as and when they arise. And once again Happy Birthday to Mr. Hockley.

01:13

Good morning, everyone. My name is Caroline Jones panel member. Today I'm mainly going to be observing but I may ask questions as and when they arise.

01:22

Thank you very much, Mrs. Jones. Those of you who've been involved with or watched any of our previous hearings will know that a full panel is not here today. This is to allow the other members to work offline but they can join us if needed. If I can also introduce our planning Inspectorate colleagues working with us on these examinations. Some of you I'm sure you will have spoken to already. Obviously I'm Ray Williams is the case manager leading the planning spectra case team and Emirates accompanied today by two case officers KJ Johansson and Caroline hope well

01:51

hopefully the published agenda papers for these hearings provide a clear explanation of our and your reasons for being here this morning. That is to hold an issue specific hearing on seascape. Shortly I'll

be running through our list of participants and ask them to confirm who will be leaving their contributions today. But before I do just a few things to note. Today's hearing is being live streamed and recorded recordings that we make are retained and published. Therefore they form a public record that can contain your personal information and to which the general data protection regulation applies. Does anyone have any questions about the terms on which your digital recordings are made?

02:27

Okay, I'm not seeing any hands up or cameras on so I'll move forward on the basis that that's all understood. Thank you, Tony to today's hearing, I'll now ask the participants to introduce themselves. If organisations attending today have a number of representatives attending, could I ask that you nominate a lead representative to introduce your team more often your organisation because I know that for a number of organisations here today we have several different individuals that may wish to contribute in the course of the proceedings. So if I could begin by checking the name of the main speaker that we have representing the applicants today, please.

03:01

Good morning, sir colonists on behalf of the applicants. I'm a partner in the law firm of shutter Wedderburn, and I'm structured by Fiona Coyle, division of solicitor scottishpower renewables.

03:13

In terms of the team that we have this morning attending. We have Simon Martin, who is from open environments, and he has got a master's degree in landscape climate planning. And as a chartered member of the landscape Institute. He has over 19 years experience as a landscape architect, and as a particular expertise in relation to renewable energy and having undertaken numerous Lv is for offshore and onshore wind farms. in respect of this particular scheme, he had responsibility for managing the team that undertook the work in relation to ies chapter 29. And he's also subsequently involved in other landscape and visual matters relating to the assessment of the project.

03:59

We also have Brian Denny, who's an environmental planning director at Pegasus group. He is a chartered landscape architect, and also a fellow of the landscape Institute. He's also a tribe chartered environmentalist, and a member of the Institute environmental management assessment and wrenches as a principal environmental impact assessment practitioner. He's got 35 years experience in relation to the field and has acted in respect of major developments throughout the country. But over the last 15 years, has also been heavily involved in a range of renewable energy projects that have evolved m B's and special qualities. He's also had to work in schemes with World Heritage Sites, national parks and amb landscapes alongside national and regional syndicators and Scotland and also Scottish wild land areas.

04:50

And essentially, he has been involved in the team and also bringing his expertise in relation to designations and he's again been involved in the

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Before the application has been submitted and subsequent assisting with material that is submitted to this examination.

05:08

In addition, sir, given the topic includes the word see we also have another couple of attendees including Jared fellow, who is the offshore centre manager who is regularly appeared, and also pilot persona, who is a project director in respect of EIA from Rosco burning for their interest in matters that may arise as well. That concludes the team that will be appearing on the applicants would also extend Happy birthday to you as well. Thank you. Thank you very much.

05:39

Okay, can I check the name of the speakers we have today for Suffolk County Council, please.

05:51

Good morning.

05:52

And Happy birthday. I'm rooting for Suffolk County Council. And I have with me today Phil Watson, who leads on strategic issues and landscape of the Council. And if it's helpful to just say at the outset, really that the county council defers to the professional judgement and advice of natural England on the matters that are to be discussed today. But we will of course we in where we feel we can add something useful to see. Thank you. Thank you very much. Thank you, and Isa for counsel. Please

06:24

give me warnings that I'm happy birthday as well. Thank you.

06:29

No legal counsel. And I'm joined by Nicholas Newton, the ISA for councils landscape and arboricultural manager and and we're essentially in the same position as the county council were on the matter of seascape we defer to natural England. So our contribution to this hearing might be more limited than others thinking. Thank you very much Miss Gordon, and for natural England, please.

07:02

Hello, apologies. Good morning and happy birthday. My name is Louise Burton. I am the lead for natural England today and one of the senior responsible officers for the East Anglia one North and East Anglia two projects. With me today I have Alan Gibson who is the other SRO for the projects. And also Lydia Tracy and Helen man.

07:25

Thank you very much, Miss Burton. And finally, I believe we have suffered coast and Heath AONB partnership, please.

07:36

Good morning, all and happy birthday. I'm Simon Amstutz. I'm the manager of the staff team, the nationally designated area of outstanding natural beauty but I'm here representing the eo MB partnership. today. The a&p partnership is around about 25 organisations that come together to champion the statutory purposes of the A and B. And to be absolutely clear and clarify the A and B partnership will may take positions, but the constituent members of the partnership may take their own positions on things but the partnership is absolute will perhaps bring a high level thoughts on it relating purely to the purposes of the a&p.

08:30

Thank you very much, Mr. Amstutz. Okay, and I don't believe there are but is there anyone here today who I've not introduced?

08:41

Nope. Okay, thank you very much. So thanks for all those introductions and for your birthday wishes. Especially thank you to Mr. Williams for starting that ball rolling. And anyone who is not participating directly in this session, but is observing it is welcome set any observations about what they hear today in writing by deadline to six, which is next Wednesday, the 24th of February. Okay, the introductions are now complete. As with all previous hearings, these hearings are held for both projects in parallel. There is a single agenda for both hearings, which was issued on the eighth of February.

09:13

The agenda is designed to enable us to hear oral submissions for the two applications in parallel, in part and individually in other parts. I will obviously race this element again at various relevant points in the agenda. Before we move on to the main business of this morning's hearing. Does anyone have any other questions of a preliminary nature about how today's hearings will be run?

09:36

Okay, I'm not seeing any hands or cameras on. So we'll assume that that's all okay. So we'll move on now to item to the agenda, which concerns visibility.

09:47

I should probably set out at the outset that the way I'll deal with most of the agenda items today will be to ask questions, initially of the African or of natural England before opening up the floor to others to see if they have anything to add.

10:00

However, obviously, if there are issues that you wish to raise related to seascape during discussions in, please raise your hand. I've read all the written representations. So there's no need to repeat passages of these. But you're welcome, of course to draw my attention to specific sections in your answers. Finally, do let me know if I'm moving on too quickly, or you feel like you haven't had your chance to have your say,

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I don't anticipate this specific agenda item will take up too much time. Ah, I see a hand up from Miss Burton.

10:30

Hello, I've got my video working this time. And Louise better natural England. And if it would help, what we have done is prepared a statement as a summary of our position. So I don't know whether or not you would like us to do that before you start your questions or as part of those questions, but we have got a very short summary of our position and where we're currently at. Which may help. I don't know. Oh, yeah. She said it's quite a short statement. It is yes. Okay. Yeah, yeah.

11:01

Now,

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so as you said, we've provided extensive technical advice for these projects, and during the pier relevant reps and a deadline three, our advice on the significance of the impacts from East Anglia to on the special qualities of the Suffolk coast and he said A and B has not and will not change unless there's a fundamental project design change. Going forward to our position is therefore one of we agree to disagree with the applicant of us that we've had provided all the technical advice that we can possibly do for this project, and hence the absence of our technical specialist for today's hearing. We may, however, provide a brief response and for deadlines six on methodology and policy clarifications, in relation to the applicants response at deadline five.

11:58

But I just wanted to make it clear that we don't anticipate there being any ground for a statement of common ground, because the matters remain unresolved.

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Also, in addition, we advise that the planning policy interpretations now presented by the applicant on matters for consideration by the regulatory decision makers and not for the statutory advisors to comment on to help the examining authority form of view on the applicants interpretation, we draw your attention to the advice we provided at deadline three, on the relevant sections of legislation policy in case law. And coming to opposition. I think it's been raised by other interested parties here, we have spoken to those parties within a OMB remit, and what we can't speak for them, we would welcome them confirming their support of the advice that we've provided.

12:52

And that's it. Thank you. Thank you very much. Miss Byrd. Just one point for me there before I understand Mr. Smith has a question as well. You mentioned that you didn't anticipate there being a statement of Common Ground being produced because of your differences between yourself and the applicants.

13:09

Sometimes what can be helpful and I don't necessarily expect an answer to this. Now it might be worth thinking about it is almost a statement of uncommon ground, if you like, that is agreed between the parties, where you set out clearly the differences between your views, that is already provided now deadline three response that is effectively where we consider our differences to be. So that is set out in detail. And it is also in our risks and issues lack of of the main concerns, but

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I don't think in terms of our advice is going to give you any more clarity, as the summary is already provided at deadline three. That's fine.

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Obviously, I've read your deadline for your reps and your your issues logs throughout the deadlines, which are very useful. So

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if that set it all, then yeah, that's fine. Thank you. Mr. Smith, did you have a question? And probably not given what has just transpired that though I will just double check. I mean, essentially, what what you're telling us is that

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you cannot see there is anything that these applicants could conceivably do between now and deadline nine. And that might change any of the positions that you have essentially set out both in summary in your issues log. And at the latest at your deadline, three positions, and nothing is nothing has changed or prospectively will change up to deadline three, because if that's if that's where we rest, the determinately there is nothing more that can be done as you see it, then, essentially what we then need to focus on is ensuring that we fully understand the scope of dispute between yourselves and the outcome because essentially, we then are in adjudication mode. We've got we've got to make a call in a recommendation that we make to the Secretary of State on each application.

15:00

And now,

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you know is absolutely fixed in stone and nothing will change from deadline three, then yes, you're absolutely correct. There's no need to put in any further documentation. All I would foreshadow is that as a consequence of conversations that we may even have today, and if anything changes whatsoever, then Mr. hotkeys indication of a statement of uncommon grounds usefulness. And I think is worth re emphasising simply because, you know, frankly, if anything does change, and forensically teasing out that change, from a sequence of documentation leading up to deadline three, plus, this process plus subsequent documents, is extraordinarily time consuming. Whereas if at the end of today, we will go away and write down where we thought we landed, and then it's submitted in at the next deadline. that's a that's a pretty precise roadmap. For us. It assists us immensely. So that that that will be the plea, I guess, that I would put to you. And don't leave us without a statement of uncommon ground. Unless at the end of this hearing, things are so clear and obvious that nothing at all can change will

change at all. From the deadlines reposition? No, sir. Thank you very much. And Louise better not to linger on that point. And in terms of change, and

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the applicant is doing minor tweaks at deadline five and various places. But our point is very much unless there is fundamental changes to the project design.

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Our advice is not going to change from what is currently provided. So in terms of the special qualities and the significance of the impact, it has to be something incredibly fundamental to do that. So I think we're very much of this place of we're agreeing to disagree now.

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And I'm just emphasising that point.

17:08

Oh,

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thank you, Miss Burton.

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There were. That's all understood. Obviously, they have various questions today, which we'll

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tease out well enough to go into the differences between the main parties. Before I start on the main question, is there anything that the applicants would want to come back on at this juncture?

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Yeah, we'd rather proceed with the hearing. And then perhaps if there's some observations at the end, that will prompt me rather than at this juncture? Of course, yes. I was just asking the question. Is there anything you want to come back on the statement from natural England to say, thank you very much. Well, we'll proceed.

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And

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as I mentioned before,

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that I just have one question on visibility on this section, and it concerns the technical aspects of production or visualisations and figures in the various reports. And the question on this topic is to natural England that I know that the applicant agrees with the vertical difference in visibility of offshore

structures, and the diagrammatic representations put forward to your by yourselves, and states that photo montage is provided in the environmental statement or the best way to appreciate it scale up the turbines when printed obviously the correct scale and resolution.

18:31

Are you content with this and the visualisations are produced within the environmental statement?

18:42

Louise Burton natural England Yes, natural England has made very limited representations on this issue. So there is no disagreement between ourselves and the applicant on the production use and interpretation of seascape visualisations. Thank you very much. And there's only overview if you want you wish to perform under this agenda item. No, thank you. No. Okay. Thank you.

19:08

Does anybody else wish to say anything under this agenda item of visibility

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and in technically the seascape visualisations

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Okay, not seeing any hands on so we'll move on to the next agenda item which is generating free onshore seascape effects.

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And in this section, we will mainly discuss fairly recent documents are provided by the applicant at deadline fi, that's rep five zero to one and natural England that deadline free which is rep free 120. I'll refer to these going forward as a D five and the D report D free reports. Sorry, respectively.

19:46

It'll be noted that both of these documents relate to East Anglia two only. And my apologies here that the agenda is a bit misleading in this regard. Why we'll discuss East Anglia one north in agenda item freebie and specific

20:00

of East Anglia. In agenda item free see this item free a will mainly focus on East Anglia to given the disagreements between parties largely focus on this proposed scheme.

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So the documents are referred to the D five and the

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focus attention on four main issues. This is significant to the effect of his magnitude of change, the geographic, geographical, excuse me extent of the significant adverse effects on the special qualities of the area of outstanding natural beauty,

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the future character of the bay and the proximity of the array to the coast and comparisons with other offshore wind farms.

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Firstly, my first question is to the applicants.

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Do you agree with paragraph 11, of natural England's d3 report, and that is that significant adverse effects will occur on multiple landscape and visual receptors located within the LMB. And while there is disagreement between the two parties on the extent of these significant adverse effects, and the implications of those significant adverse effects for the statutory purpose of the OMB, the fundamentally This is a matter that the applicant and natural England agree upon.

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I'll get

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the market to respond. Thank you.

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Good morning, sir. Simon Martin on behalf of the African

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body. Good morning.

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Yes, I mean, essentially, the way I see it there is that there is agreement between our our own assessment and natural England's assessment in terms of the significant effects been on a number of receptors in close geographic proximity to the coast.

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And the geographic extent that we've we've assessed is particularly focused on the coastal edge of the AONB. And my understanding is that there's agreement with natural England on the

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broad area of geographic extent.

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However, there may be some differences in terms of

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this specific locations within, within those areas identified, broadly between Southwell to offer ness, and where we've identified a number of

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particular locations within that geographic area where the special qualities are

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affected to a significant degree. And

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I think one of the none as another the difference in some ways is in terms of the magnitude of effects we've assessed in the in the SLV, compared to natural England's the one that

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we've identified some significant effects on the RMB. And but they're all in all concluded really to be of medium magnitude, or medium low magnitude.

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And our position on this really is that it's not it's not the overall character are the physical features of the coastal edges of the end that that would be changed. Instead, for us in terms of our assessment, its its specific, aesthetic perceptual aspects of character, and particularly those aspects that relate to offshore panoramic views from certain parts of the coast, that will experience change.

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And

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our view is that, given the strong overall character of the AONB

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and the relatively low change to the to the wider landscape of the AONB in our assessment,

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there wouldn't be harm to the special qualities of the end in overall terms,

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whilst acknowledging

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some level of harm to Pacific visual aspects or special qualities are experienced at the coast and experienced in certain locations. And those locations tend to be areas where I suppose that there are pockets or specific sections of coast where the qualities are more evident

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and are less influenced by development influences like settlements.

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And some of the energy influences around Sizewell or former military influences are often asked for example.

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So So yes, I just trying to sum up where are we at we

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recognise the differences in, in assessments and in opinions as far as with natural England. There's a lot of detailed discussion and commentary on it in the the two representations that you mentioned there, sir, which I think would help in terms of understanding the particular special qualities and our consideration of those in the natural England's consideration of them.

25:26

Thank you know that that's very useful. Obviously, I do have questions that relate to, you know, the differences between your cases, if you like, much of those come later on, in the agenda under free, see, when we talk specifically based and get to, but that was very useful, because like I said, the questions here are about those mainly about those later reports in the process, if you like.

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And while I have you, Mr. Martin, I've got another quick question for you, if that's okay. And this is about visibility, in terms of weather. And obviously, feel free to pass it on if you if it's not for you. But

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I know that the the SLV is a state's effects that are assessed to be significant, maybe not significant under different conditions. And in your deadline five report, you've provided some useful evidence relating to these conditions. And paragraph 45 of your report states that visibility

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occurs approximately 33% of the time based on data from Weibo, and I believe, and 21% of the time from shoe breeders.

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So in paragraph one, seven, then if that report, you state visibility of East Anglia to from South world, closest people into these arrays around 32 to 33. k would likely be for 33% of the time, or 120 days a year. So my question would be on that basis?

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Would the majority of those days, 120 days? And I know it's it's only an average, obviously, would they be likely in the summer months, when the coast is

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potentially at its busiest in terms of numbers of visitors and locals out of doors?

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Yes, Simon, Martin LBI advisor for the African

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proportion of the those days of have very good and excellent visibility are likely to be in the summer months. Yes, as you'd expect.

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We would However, note that those those days of have very good and excellent visibility are likely to be spread across the year and not entirely in the summer months.

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And, you know, based on our experience of visual impact assessment, we know that there are times during the winter months that you have particularly clear visibility, particularly looking out to out to sea. And often when the atmospheric conditions, you don't get this kind of haze and heat haze.

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That

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often reduces visibility during the summer months. And so I think in short, I would expect those better days of visibility to be spread throughout the year.

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But also, some of that visibility would be at night, and not just in the day as well. So it does need to be considered, I think in in that context. And as you said at the start your question there. So what we assumed in the SLV in terms of impact assessment, that

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really all the assessments are based on on a worst case, in terms of terms of maximum visibility, optimum visibility conditions. So the significant effects that we're identifying

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really need to be we think considered in the context of, of the potential for this, and likelihood of this reduced visibility for

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notable stretches for periods of the year, when there won't be such such very good and excellent visibility out to out to 40 kilometres, that's that's needed really to, to see these these projects when farms in their entirety.

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So just one more point on that really is that, you know, it's a it's a sort of decreasing continuum really in terms of the effects with distance and visibility.

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So, the

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frequency visibility that we highlighted in the assessment is very much based on the closest turbines of the arrays, obviously, as with increasing distance offshore, that that reduces further even down to sort of 10% that 10% of frequency of visibility at 40 kilometres was about the you know, the average we were finding

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So, it's more than likely that, you know, the more distant turbines in your raise won't be won't be visible over, you know, a greater portion of time than the closer turbines.

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Okay, thank you very much for that Mr. Martinez, very useful.

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Natural England. Was there anything that you wish to respond to on on those points that Mr. Martinez just made?

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Can see Mr. Danny's hand up?

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If we could just go to Mr. Denny first. Sorry, natural England. Sorry, Miss Burton. Just go to Mr. Denny, is there anything you want to add the Yes, sorry, sir. There was a delay there. But I just wanted to reiterate two things in in terms of what Martin has said, I've a lot of experience of taking photography for wind farms across the whole of the UK. And I've experienced the pitfalls and difficulties of that. We tend to find that although there is good and clear visibility in the summer, there's relatively short distances, 1010 1215 kilometres, especially on bright, clear, sunny days, because of the way in which we get southwesterly winds in the summer and dust in the atmosphere, particularly coming up from Spain and Sahara. Then we get, as Mr. Martin said, a lot of haze in the summer months. And it is tend to be in the summer where we don't get the clearest views to distant horizons. Because of that, it tends to be cold, crisp winter days, back end of winter, beginning of spring, where the air is clear, we've got the winds coming down from the northwest, which is cleaner air, which we get the best long distance views and the distance, the views to the distant horizon are much more likely to occur on those days and nights in those conditions. The other one is, again, to reiterate the points that Mr. Martin said about frequency. And by way of then,

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I was involved in a wind farm project recently in Scotland, the assessors had assessed that some lights, which were only on for 2% of the time, gave rise to non significant effects because they were only on for 2% of the time. I took the opposite view because of the way I approach these things. And it is the way that Mr. Martinez approach things with this scheme, which is to say no, they are significant, because they're significant when they're visible. But then ask you, sir, to take into account that they're only visible for a percentage of the time in the way that you get to those effects. And both Mr. Martin and I agree on that way of assessing it is perfectly acceptable for other assessors to take the frequency into account and indeed to downgrade the significance and many do.

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Miss Burton, if you wish to come back on them.

32:42

Thank you sir Louise better natural England and just a couple of brief points from natural England.

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In relation to visibility, and recognise the points that have been raised we have provided extensive comments on this in our d3 response. But in terms of visual immunity Surely,

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during the summer months when they are when the turbines are most visible is when

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the area is used by receptors and is therefore more more sensitive. And it's not just about the visual immunity it is actually about the character of the LMB as well. So one cannot be looked at without looking at all of the other criteria for the A and B so just wanted to flag that. And in terms of geographical extent and and when smartum was coming from originally.

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Again, there was a lot of information on this in our d3 response. But it is not about considering the whole of the AONB. It is actually about its constituent parts on and in saying that the whole of the A and B has to be impacted for it to be a significant impact and special qualities. And doesn't seem quite right because I can't think of a single scheme. And I welcome the applicants to think of one a single scheme project, whatever you want to call it, that would ever impact on a whole of the AONB and all of the special qualities, and all of its constituent parts of that. So

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this is where natural England and the applicant diverged quite substantially.

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Thank you, Miss Burton, you've actually preempted my next question to yourself there as well. So thank you for that.

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Mr. Martin, was there anything you want to come back on there in terms of the visibility point misperception made or indeed, the point about constitutes parts of the OMB

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Simon Martin I vi advisor for the applicant in terms of the point about visual amenity and character,

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I think in some ways that goes to, you know, towards some of the heart of the issue that is be part of because we you know, we have the significant effects of we're finding on special qualities relate to these

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Visual relate to these visual aspects of panoramic offshore views, you know, across across the heat or along the coast and you know the composition of,

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of elements in these simple views of sea and sky and shingle. And so, I think

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in terms of visibility, it is and frequency of visibility and how that relates It is, it is quite critical to be very critical really to that. So, that issue in terms of how frequently the special qualities that we're assessing would be would be experienced and affected.

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I would make that point in

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terms of visual immunity and, you know, regarding the consideration of the AONB as a whole

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and

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yeah, I mean, again, it's our point there really is that there are particular

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there are particular coastal locations where the special qualities as we've assessed and particular indicators are, are affected to a significant degree

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or only of medium magnitude worse often lower.

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And they occur in specific locations rather than the way the seascape character is perceived.

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Rather than you know from

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the landscape of the AONB is essentially the you know, the fabric of the landscape of the Lamb. The the wider area isn't it is not in our view going to be going to be compromised as a result of an offshore wind farm, you know that 32 kilometres outside the, the the the area of the AONB

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those

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those kind of significant effects, you know, in terms of the point about a ski with a scheme ever impact the whole,

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you know, we would in I suppose, envisage those occurring where, you know, whether that's whether development within within the area of the end itself, where the fabric of the, of the landscape of the of the RMB is, you know, is impacted to a significant degree,

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perhaps a development that,

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you know, that severs a landscape severs the landscape, the A and B and splits it because of its influence on a particular area, or an offshore wind farm that was particularly close and was in the near shore waters. And that had a, you know, was within the seascape of the of the AONB itself, you know, where you you, you could clearly see that the turbine towers and foundations, we're, we're in that seascape. I think what we're, what we're dealing with here, I think is you know, it's a it's a horizon development, it's, it's over the horizon. And you don't tend to see it in the you know, in the immediate seascape context of the, of the AONB. It's, it's um,

38:23

it's it is that there's a vast expanse of seascape, you know, still retained between the the AONB coast and the and the project wind farm over the horizon.

38:35

So hope that that that picks up on some of the points and I know my, my colleague, Mr. Danny might might well come in on that as well. Yeah, thank you, Mr. Danny.

38:48

Yes, Brian Danny for the African. So I think there was a misunderstanding in what natural England said a few moments ago. It isn't our case at all, that the AONB has to be harmed as a whole, in order for it to

be compromised. That's far from what we've put into our representation. So we'll go any further on that point. But that isn't our case. But but just to take up on, as Martin said, what we're really saying is that we're asking you to look at the effects on the perceptual qualities, which underlie some of the special qualities and these perceptual qualities relate to certain views offshore to the distant horizon and to weigh that against the LNB and its natural beauty. And in order to do that, what we're saying is you need to understand overall what makes up natural beauty of this landscape and whether those effects which we have identified are capable of compromising it.

39:46

This is an EMP which sample contains 20% of the UK stock of vegetated shingle is very important for that. It's an a&p that has nearly 11

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and a half 1000 hectares of wildlife designated sites 34% of the Lamb.

40:08

It has five river estuaries, which have intertidal areas of mud flats and salt marsh which are incredibly important internationally for birds and particularly rare species of birds. It also contains a lot of UK freshwater Marsland extensive weed beds. And Westwood is the UK's largest reedbed. It's very important for a number of rare bird species and habitats associated with those bird species, as well as the sandy heaths and the sand links, which are important along the coast. So what make up the natural beauty of this landscape is very, very, very complex. And very important in terms of the natural international stock of natural beauty. The perceptual qualities we're talking about are a small part of some of the indicators underlying some of the special qualities. And in the case of the significant effects that we're looking at. They relate to views offshore to a distant horizon wind farm, and what we are saying in our evidence and have laid out in our reports, we don't think that those effects when you look at the natural beauty of this HMP overall are capable of compromising it. And I think that's the difference between us and naturally.

41:17

Thank you, Mr. Danny.

41:19

I will I can't see Mr. Amstutz hand up, so just deflect our Welcome to you Mr. Amstutz after we've come back to miss Burton for natural England.

41:28

I was just going to say sir Lou Lou Burton from natural England, it might be worthwhile speaking to Simon first before natural England because as the OMB partnership, there may be something that I want to follow up on afterwards. Okay, of course. Mr. misters.

41:48

Thanks very much. Simon Amstutz OMB manager representing the AMD partnership.

41:55

I'm just going back to the acknowledged impacts upon the eo m. b. I think the OMB partnership will take the view that

42:07

negatively negative impacts two part of the a and b is negative impacts to the A and B, the A and B is a single entity. And yet the parts of that entity make up the whole

42:23

Thank you. Mr. hamsters. Miss Burton. Was there anything you want to come back on that? Mr. Amstutz orientate to what you've just heard from the Africans.

42:32

Not in terms of the RMB partnership, but with sorry, Louise better not telling. But I do in relation to several of the points that have been raised. What I would say in terms of visibility, is that as part of the assessment, the worst case scenario has to be assessed and assumed that that is what is considered as part of any

42:53

regs. So whilst we recognise that it's not going to be every day all day that there is the clear visibility, it is the worst case scenario that has to be considered. And in relation to comments about it's been on the horizon and 32 kilometres away. We did as part of our representations for site visits requested that the examining authority look at views out from all fitness and the galloper offshore wind farm and how visible that is. And what We have provided in part of our d3 submission was a comparison to that particular wind farm for that very purpose of demonstrating how impactful compared to existing infrastructure that is out there in relation to that. So I just wanted to make that quite clear

43:47

that

43:48

there are particular areas Yes, that are have a clear review.

43:53

But galloper is already there, and you can see it to say there is something to compare against. And we have provided that

44:02

context in our deadline, three submissions.

44:06

Thank you, Isabel. And just just to flag all the trophies that myself and Mr. Smith have been asked to offer net. Oh, fantastic travel. Look at those few. So, so we're aware of those. Thank you. And I do have a question later on related to orphan ness.

44:22

Just before I just just briefly on that point.

44:27

I think given

44:30

the relevance of engagement with the, you know, the physical nature of cityscapes and landscapes, it is worth emphasising that every unaccompanied site inspection we do, we publish a factual note off, which tells us tells anybody in the examinations where we went, what we saw. And so what i what i would flag is that it's probably well worth the parties in the hearing today if they haven't already done so.

45:00

Referring to the unaccompanied title inspection notes, they're all available in the examinations, libraries.

45:07

There are now seven of them.

45:10

And if there are any points that arise from those dealing with those in post hearing submissions at deadline six, and I think that's worth recording an action.

45:21

Yep.

45:23

Thank you very much. Apologies, Mr. Hockley. No problem. Thank you, Mr. Smith. And just before I return to the applicant, I do see that there's a hand up from Nova gold have a nice Suffolk counsel.

45:37

Thank you, Naomi. Good is up at Council. And yes, we were just going to see we'd like to support the comments that have been made by natural England and

45:47

they wouldn't be a partnership. And but we'd also like to just offer some further comments in terms of visibility. And I'd like to bring in my colleague, Nicholas Newton, to provide these.

46:01

Thank you.

46:03

Good morning, Sir Nicholas Newton, for counsel.

46:07

Just a little bit of almost sort of local knowledge on the visibility issue.

46:12

Mr. Danny was right to bring up the issue of northerly northwesterly air streams, which do have a surprising effect on this particular coasts, and they can suddenly sweep

46:25

visibility to the horizon right back. It's what we sometimes call the Jim clear day, you can get this extraordinary asteroid when you suddenly think Blimey, he never knew he could see that far, but they can happen

46:37

at any time of the year. But actually, he was right to say in sort of winter and into spring. But there is a summer effect that no one's mentioned so far. And it's it's particular to this situation because we have a north south running coast that faces east. And in the summer, obviously, when we have maximum visitor numbers, although I have to say visitor numbers are pretty high, non COVID. Almost all year round these days with such a high preponderance of second homes. But in the summer, when the sun is setting, north of West and is behind anybody looking out to see if there is a westerly southwesterly air stream and the turbines are facing to the west and southwest, they will be fully illuminated by a setting sun. And often even if there's been a daytime heat haze or dust haze, it clears off in the evenings. And existing wind farms suddenly become illuminated by afternoon evening setting son on this particular coast.

47:48

Thank you, Mr. You are useful.

47:52

Mr. Martin or Mr. Denny was there on before we move on? Was there anything you want to come back on, on on those points made by various parties? You know, Simon Martin LBA advisor for the applicant just to knock on that last point that broke from from NEC which I agree with much of what he said in terms of the

48:12

you know, the clarity of the visibility sort of in the later part of the day in the early evening, particularly in the summer months. So we would acknowledge that and just point to the visualisations really, which were all taken in the, you know, in the afternoon, late afternoon, early evening to try and capture that, that that that worst case, in terms of the clarity of visibility. And

48:41

the other point I suppose I would make on that is that, vice versa. And in the morning, in the early part of the day, when you're looking out to the east, you're looking into the sun, and it in that part of the day.

48:56

The turbines won't be seen with the same, the same level of clarity is later the later part of the day when they tend to be backlit by the sun, then your visibility is

49:08

obscured by by by looking into the sun in the morning.

49:13

So yeah, that was that was all I wanted to raise on that. Thank you, Mr. Martin. Mr. Denny, your hand up as well, I believe. So Brian, anything I can just want you to come back with one point, sir, which was said about that you should take into account the worst case the worst case that you should be considering.

49:31

Mr. Martin and I both agree in EIA that we should be presenting to you the worst case. And as I said earlier, we don't take the field of downgrading that for frequency even though the guidelines for not getting visual impact assessment would allow us to do so. What we ask you sir, is to take frequency into accounting wait, and wait for you would give to those identified effects.

49:54

Thank you, Mr. Denny. That's very clear. Thank you.

49:57

Just before we move on, I do see a hand up from Miss

50:00

transistors.

50:06

Yep, Simon Amstutz A and B manager representing a and b partnership. Just a little bit of context total of our research of a volume and value study of tourism on into the Suffolk coast area of outstanding natural beauty. we're suggesting 4,000,606 170,000 visitors with a total tourism value of 228 million and supporting 5000 jobs. So just to give you a Skype, an indication of the scale of the number of visitors. Thank you guys are useful.

50:46

Okay.

50:49

Just bear with me one second.

50:54

Just checking them Hands up. I've got

50:57

just got a hand up. Mr. Danny, was there anything that you want to say? Was that your your hand up from the last time?

51:03

So it seems to be my hand up from last time which is refusing to go off? So ignore it for the moment? Okay, no problem. Thank you for that.

51:11

Okay, and my next question is for the applicants as well. And we're looking at geographical extent,

51:18

which is, as I mentioned obsolete is within the different 35 reports. In paragraph 50 of your D five report

51:27

says that natural England advisor there'll be significant effects on the majority of the 35 K. AONB coastline line between a normally extended do and be in the south to Orford Ness.

51:38

But that is not the case. And then paragraph 52 to 53 of the report summarise annex one I believe, by noting various areas where there will be significant effects. But By my calculations, these these extents that you detail of coastline add up to about 27 and a half kilometres,

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which would be about three quarters of the 35 kilometre coastline stated. I just want your views on that whether you agree with them.

52:09

Simon Martin LBI advisedly applicant? Yeah, the the the matter of geographic extent is, is best set out in the annex that we prepared for the S nine five report. And

52:27

I mean, clearly that why well, the relevant stretch we identified is between Southwold and this of north side of Orford Ness. We, we believe and we have assessed that there is a number of specific locations within that stretch of coasts where the special qualities are,

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are experienced and affected significantly. And it's, again, simply these

52:55

panoramic views and the composition of elements in in those views. And sounds of those specific locations. It's the ident. The areas that we've identified is basically all the Swick dunnage minsmere area, where there's a relatively lengthy section of the

53:19

there's a coastal dunes and shingle landscape that forms the very edge of the of the shoreline. And, and that that's separated from a number of other areas along the coast,

53:36

a section at sizewell and thought next we've got some sidewalk lists.

53:41

And

53:42

so between thoughtless and orebro and a section we think on the sort of the northern part of orphanet, where you, you go to the north, the net itself. So

53:55

those are the particular areas that we've highlighted in, in in our assessment as well as

54:03

the coastal extremities of the state Sandilands landscape type, which is the area at Cove hive. And the classic cones of cliffs at kowhai. clicked in particularly those areas. And

54:19

they, they're, they're

54:21

in the main they're, they're separated and intermittent sections of, you know, few kilometres in length. It's not a continuum and continual

54:33

effects on on special qualities.

54:37

Thank you. That was, that was kind of my point really, because obviously the all the areas you've mentioned there are within your report within paragraphs 52 to 53 and annex one as you as you stated, but when I added those up, and obviously, please correct me wrong and correct me if I'm wrong, but they added up to about 27 and a half kilometres

54:58

which

55:00

is around as far as you know, around three quarters of the 35 kilometre coastline of the IOM Bay.

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So, it was your view on whether that constituted

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a significant effects on the majority of the coastline really

55:16

I need to double check there just in terms of the specific distances. So, I suppose apologies on

55:23

the distances of each of those areas. And,

55:28

again, we we would we would point to those those effects as being implemented of intermittent effects on certain certain sections and not widespread effects on the whole on the whole coastline. They are separated by settlements and areas that are more influenced by by development

55:50

around around the main settlements and around areas where the the existing energy infrastructure as a as an influence on on special qualities.

55:59

I can see that my colleague Brian might want to come in on that or Is that still the hangover from the

56:05

new Han? So, thank you, Mr. Danny. Yes, sorry. That is that isn't.

56:10

Just for clarification, sir. The AONB management plan tells us that the coastline of this a&p is 76 kilometres in length. I think when we're talking about the 35 kilometres, it's 35 kilometre length from which the turbines are visible, in part from certain lengths. It's not the length of the OB coastline. Thank you. What was the figure again, for 260? I'll just read it from the management cancer. It's close to 76 kilometres long 76 or 800, and a 283 kilometres if you include the five estuaries, but of course, that would include the dipping in and out, but the length of the coastline is we would understand it is 76 kilometres. Thank you. And then the other just the other point I was gonna make, sir, in terms of what Mr. Martin was saying, is, for those locations, where we have identified the significant effects, which Mr. Martin has just set out, of course, although the significant effects relates specifically to being focused on looking offshore, the change in the view, and whether that is significant or not, and then relating it back to those special qualities for which that is a perceptual quality, of course, as you will have realised from your site visit. So when you're in any of those locations, you're experiencing the ANP and multiple facets of it special qualities simultaneously. And that effect is only one part of your experience, it is the

whole part of your experience. And indeed, for many of the locations where there may be a significant view offshore, your experience of the natural beauty may be determined far more by other special qualities of the location in which you are standing.

57:45

Thank you, Mr. Danny, I just want to check one thing there that the intermittent effects that you mentioned, Mr. Martin,

57:53

are they do they relate to the visibility we've already been through or they intermittent effects in a different manner?

58:01

Yes, Simon Martin LBI advisor for the applicant, they are intermittent effects in terms of geographic extent, sir, rather than visibility. As such, there, they relate to, you know, the cat the character and experience or special qualities on on the ground rather than visibility frequency. Thank you. That's useful. Mr. Martin. Was there anything on this point? Naturally, no wish to come back on

58:33

Louise Berta, natural England, I'm just point out that we never once referred to the whole of the AONB coastline, we referred to the 35 kilometres that was in the zone as a theoretical influence. And I'd also like to set out that you can you can actually see the turbines further inland, not just from the coast, depending on elevation. And also,

59:02

in terms of the setting of their and B, all of the settlements and sizewell are included within

59:09

their one B. So the statutory purposes apply to that area as well.

59:16

Thank you, Miss bell. Mr. Martin, before we move on to did you want to respond to anything natural England appraiser.

59:24

Simon Martin elgeyo advisor for the applicant, just on the point about visibility from further inland really, that we believe that is limited. And there's a TV is that you see in the figures submitted with environmental statement is very much based on the bare ground model. It doesn't factor in the screening of forestry and settlements and surface features as such.

59:50

The ground truthing that we've done as part of our survey work to confirm the landscape and visual effects within the study area. And really

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And confirms to us that there are there is very limited visibility from from further, further inland. I'm not saying there isn't, you know, an occasional glimpse of the sea but I think it's, it's a very, in general it's a very flat coastline you know, gently undulating coast coastline with

1:00:19

local locusts and ash, you know, ash trees and

1:00:23

shingle beaches and I think you don't tend to get the kind of wide open panoramic views and further inland that you may get in other, you know in other landscapes.

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So I think I think I'd made that point in terms of this the terms of the settlements and sizewell and then being within the AONB.

1:00:47

I think although we've identified some significant visual impacts on

1:00:54

people, essentially, within those settlements and views within those settlements, they don't always translate to effects on special qualities.

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In our assessments, the special qualities often know they often relate to

1:01:09

indicators specifically refer to things like the shingle bays and the views along the coast or views across the heath

1:01:18

of the states islands, for example, which which aren't experienced in the in settlements. So while there may be a significant visual effect, it doesn't necessarily translate to

1:01:31

a significant effect on perceived character and special qualities.

1:01:36

Thank you, Mr. Martin. I can see two hands up here. Now, Mr. Amstutz and Miss Burton. So going on that on the basis of the previous routine if if we could go to Mr. Amstutz first place.

1:01:51

You have Thanks very much, Simon. I'm sturtz OMB manager representing the A and B partnership. And just to say a word on the length of the coastline, it is a matter of much local debate the length and

we've heard reference to the to the astris. But also you know that the nurses themselves are changing. So, I think the the custom is is for length is about 35 kilometres. And just also a word on the, you know, the experience of being in the AONB. You had the experience and, and the qualities of the A and B are very much experienced from the coast, we have coast yet within the name of the nationally designated landscape. And that experience of the coast, as well as been an experience that all those visitors and residents enjoy. It is also part of the defined quality. So I think the views from talking about pause later, but the views from the path are very much part of the A and B and the introduction of turbines are Yeah, they're they're not a factor of the natural beauty to find qualities of the AONB.

1:03:15

Thank you, Mr. Amstutz for that. Miss Burton,

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Lewis Burton, natural England. And just to follow on from there and be partnership,

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it seems quite speculative, some of the arguments that we'll put forward about what people may or may not enjoy

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at any one time from the RMB. And I would again argue that it is not just about the surroundings, you find yourself immediately in it is also looking across and wider. And views of open seas is part of the special qualities of the NBA. So it was just factoring in the fact that no one can actually say what is and what isn't the someone may enjoy whilst in this area. But the fact that the OMB partnership has highlighted that the coast is a special quality of this AONB shows that it is an important part of this area and how people enjoy this area.

1:04:16

Thank you for that.

1:04:18

Mr. Martin before we before we moved on, was there anything you want to come back on there from what you've heard from the AONB partnership in natural England?

1:04:28

Thank you, Simon Martin LBI advisor for the African. There's a couple of things to pick up on one of them. We may come back to later in terms of the Suffolk coastal path, and it relates to the experience of the coastline and it's its 76 kilometre length that's been discussed. And I think it was just to say really, that it's not it doesn't tend to be experienced in its entirety. And either it, there isn't the nature of the case and the way that my colleague Brian, Danny dimensioned the

1:05:00

The estuaries that come into the coast. So I think that's very relevant because it they they interrupt the almost the experience of the coastline in terms of a continuum of the experience the it, you know, you

don't, you don't tend to actually, there isn't really an opportunity to, to walk, you know, the entire length of the coast at the coastal edge. That's like the coastal path. You know, it extends inland, it goes around the estuaries

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and crosses inland areas and manage forests. And so it it, I think it's it's, I think it's considering it in that in that context, I think that the, you know, that the that the full length as it goes around the estuaries inherits experience is isn't as important.

1:05:57

Okay, thank you, Mr. Martin. Mr. Amstutz?

1:06:04

Yeah. Thanks very much. Just coming back a little bit on the point of the Suffolk coast path. Is that yeah, it to the north of the LMB that the route or the alignment of the of the coast path is much more on the on the coastal fringe. I accept the point that Yeah, as you come further south, in the OMB it does go around yesterday, but we should also will need to consider the introduction of the England coast path, which will have an alignment much closer, yes aspiration of the Indian coast path to align as much as it can with with sea views.

1:06:48

Thank you, Mr. hamster's Miss Burton? Is that is that new hand up? Or was

1:06:54

a legacy hand if you like?

1:06:57

apologies is the legacy hand? No problem. Thank you.

1:07:01

Just before we move on, Mr. Martin was there anything you want to come back to their on their comments about the coastal pathways by Mr. hamsters

1:07:12

and just incentivizing England coast path? I don't know if we may pick up on it later. But sure, I think it's the

1:07:20

main difference we noted on on that was in the southern section. And in the sub section between shingle Street and voiced and voiced and marshes or it, it takes

1:07:37

it takes a route that's closer to the river or on the river rolled right? It follows the sort of the western

1:07:47

bank of the river on the sort of inland side of of Orford Ness if you like, rather than the current route of the coastal path the Suffolk coast path in that area extends much further inland

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so it looked it looked to us at that that was the key change in terms of where it it takes a closer alignment to the coast but it's still not right on the coast it's it's separated from the sea by by off nurse

1:08:18

so it's just just a highlight that that that main difference really sir and I suppose also the path thing because past is not as I understand it isn't hasn't been been

1:08:29

been adopted as such at this stage. And so instead of proposal for for implementation and approval, as I understand it, okay, thank you.

1:08:40

Okay, so if we move on now, my next question is to

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natural England and, and also potentially the AONB Partnership,

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which is the I know the applicants reference to the AONB special qualities report and management plan as both referring to the energy coast. And I'd be interested for both of your views on this in the context of the future character of the OMB with reference to these applications.

1:09:10

So if I could put that question first, and Mr. Amstutz, please, if you had any views?

1:09:17

Yeah, thanks very much.

1:09:20

I'm the manager for the A and B partnership.

1:09:24

Yeah, I think the the, the rebranding or the attempted rebranding of the Suffolk coasters, as the energy coasters has not landed Well, with a number of individual partners, not least the tourism bodies to Suffolk coast limited and had a say an event A couple of years ago. The branding of

1:09:53

the coast as the energy coast was was it To be honest, was divided you know that the thought of it being

1:10:00

The nature coast was seen as much more important and the value of tourism is very much relies on the natural beauty that tourism is on that canvas of natural beauty people come here for you know for for walking, riding experiencing in nature and the say this.

1:10:24

Yeah the proposals that will bring in this industrial element, particularly from A to to the north of the AMA has the potential to impact the reasons why people come to the AONB. And certainly don't think you'll see the tourism bodies picking up the branding, relating to energy coast.

1:10:47

Mr. Mrs.

1:10:49

Miss Burton,

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any points you want to raise on in terms of future character

1:10:55

is better natural England, this is outside of natural England's remit in terms of what a local planning authority intends for this area, we can only provide technical advice on DMB. What I would flag is there may be different elements that as part of that, that they may be considering. It doesn't necessarily mean you have to have all of the wind farms in this area to be the energy coast, it might be that you are facilitating the green energy revolution by having ports and things like that, that are associated with the green energy sector. So just flagging that I don't know the answer to this, but it may be coming from a different aspect other than having offshore wind farms around the coast. Thank you. Mr. Martin. Was there anything you want to add on that? No, I can also see that your colleague, Mr. persona has got his hand up as well.

1:11:48

Yeah, Simon Martin obey advice for the applicant and not much further in terms of points to make on that. So I would just note the and I'm sure you know, the degree of

1:12:02

consented and

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under construction and development within the offshore waters within which the projects are located.

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And the

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associate accommodation of

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large scale, offshore wind developments in, in these in these offshore waters are long distances from the near end, which are now becoming part of the part of the baseline

1:12:34

in terms of the future, you know, future baseline of that, that's the sky.

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Thank you. Thank you, Mr. Solar.

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Purpose of the applicant. Good morning, sir. Thank you. Uh, just to flag obviously, from the

1:12:52

by reference, if we're straying slightly into the visitor type discussion, just to re emphasise the fact that within the dmo report, which has been well discussed previously, it's notable that there is an absence of reference to operational offshore wind farms within that, and that's in the first part of that where they discuss the motivations etc, and deterrents offshore is never flagged within that report. And if we, if we go back to some of the points that we covered in the socio EQ, discussion, obviously, one of the comparisons we did was to look at other areas on the coast, such as the wash, which has a proliferation of wind farms there and discuss the implications for tourism of the operational side of that, and it was flagged that it did not seem to be a deterrent by any measure that had been recorded. So just to make that point, irrespective of the ongoing discussion about the energy coast, and and that badging, which I know is contentious, and for very obvious reasons. Thank you. Thank you, Mr. pasola.

1:14:03

Okay, moving on, then. Oh, I have I noticed that still Mr. Because I just had a mistake. Sorry. So if we move on, we have a couple of questions now for natural England, in terms of the proximity of the array to the coast and comparisons with other offshore wind farms.

1:14:23

And in your deadline refree response, you refer to the rampion scheme, moving away from the National Park and heritage codes combined set of self down to national park in that part of the world.

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But is it the case that the rampion scheme is

1:14:39

quite a bit closer to the National Park coast than East Anglia to would be to the AONB coast in this case? And

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is it law would it likely to be more visible?

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Louise better natural England so I'm not

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technical specialists and I have not been involved in the rampion offshore wind farm. So I see, I would like to take this away. My view initial view is it is closer to the shore and is more visible than

1:15:16

East Anglia, one North and East Anglia two would be. But in terms of scale, and that element, I would like to take it away and provide you with written comments on that.

1:15:26

Of course, thank you, Mr. Smith, I understand you want to come in? Yes. I mean, if this is becoming an action to be taken away, which I think is wise in the circumstances, what I would like to ask the natural England to give their consideration to are essentially the dimensions of the effects of the now constructed ramping proposal and on the south downs National Park. And that includes the issue of proximity of arrays to shore within the National Park

1:16:03

extend along the shore of arrays in relation to land within the National Park

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to give consideration then to the landscape character of land within the National Park, on shore, and particularly to the nature and extent of seawood views from National Park landscapes. Now, the reason I think those last two points are particularly important is that the nature of the South downs as a national park landscape is that it rises very rapidly from behind a kind of slender urbanised hinterland integrate quite high hill landscapes, which affect effectively provide a sort of raked auditorium view of the sea, and very extensive sea with views and to the constructed rampion array. And that's actually, at least in principle, a different landscape character to to the Suffolk coastal landscape character where the immediate inland landscapes

1:17:20

do tend to be somewhat enclosing the there are the gently rolling and there's also a lot of woodland. So, so be be very valuable if if consideration could be given to whether it is considered that there is a relevant distinction in landscape character between the South downs National Park landscapes on shore and the sea with views and a judgement formed to the extent that it can be then on the nature of the impact found there, as against the nature of the prospective impacts found here. Now, deadline six is very, very close. But again, you know, where we are, is that we have we are hard up against a statutory deadline. And these are the matters that we're going to need to form views upon. So if we, if we can have a document from natural England that addresses those points by deadline. So I think it'd

be very, very helpful. And then we would ask the applicant to respond to their tokens and deadlines, heaven.

1:18:28

Who is better natural England? It's not a small ask that you're asking offers.

1:18:33

I'm afraid I doubt who to get

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something to you for deadline six, because it is actually a full assessment of an existing wind farm, whereas the advice we've given previously has been on the consenting of such a wind farm. And and I would have to take that away of what we can do, because

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in some respects, I can see where you're coming from. And I know why you want that information. But it is actually a full on assessment that's required that would need a lot of involvement from external partners as well. So

1:19:11

I doubt it will be for deadline six, we will take it away and see what we can do and come back to the examining authority on that, but it's not a small ask. I know it's not a small ask. The reason I'm asking for it to be very clear, is because essentially,

1:19:27

there will in terms of striking a view on the nature of impact in in this case, and as against the consideration of the approach taken to a protected landscape. In that case.

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There is a clear cut compatibility, and I cannot foresee any way in which we won't need to address that in some respects in our reporting. And so so it becomes the need for it becomes quite urgent. Now, I hear what you're saying.

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deadline six. If you can't do it by deadline six, can you do it by deadline?

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And because we have to provide the capability for the applicants, and indeed any other interested parties who wish to comment, which could include, of course, local interests, and particularly the OMB partnership and the local authorities, the opportunity to comment. So realistically, if it then comes in by deadline, seven, deadline, eight gives them the opportunity to comment. Now, the reason I flagged deadline, eight is critically important is I know we do have a deadline night. But it is literally on closure day pretty much, you know, with. And what that means is that if something comes in on deadline nine, and there are any issues

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that are not immediately obvious to the examining authorities, the examining authorities have no means then to create a supplementary question under Rule 17. And whereas if it if the response is coming by deadline aid, and things are not clear, we can still issue a rule 17 question on a very, very tight turnaround. But we have the ability to clarify a deadline nine we have no ability to clarify. And so counting backwards, then if we can have something from you at the absolute latest deadline seven, then natural justice can be provided for and parties can respond by deadline aid. And if things are not clear, we can issue a rule 17 immediately after deadline eight. But that really is pretty much as far as we can go.

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It's noted. And we'll come back to you. It's all I can say at this moment in time.

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Thank you very much. I think we will record that as a as an action.

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Thank you, Mr. Smith. And thank you Miss Burton there was leading on from that potentially my my next question related because obviously rampion is is raised in your deadline free submissions and then responded to by the applicants in deadline five submissions and another scheme. navitus Bay is also raised by yourselves in the deadline for submissions.

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And this from from what you said that it This may as well be a question that you can't answer personally. But the applicants have noted in a deadline five responses that the navitus Bay scheme would have been closer in East Anglia and also would have coastlines effectively on three sides. So I'd be interested for your view on that point raised by the applicants that deadline five as well, if possible, please. A deadline five apologies. Sorry, Mr. Smith, the point was raised by the applicant.

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Yeah.

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Which which deadline? Are we asking for that to be put in that? Because if it feels as though it's a it's an adjunct question to the last one. So if we're prepared to compromise and provide for deadlines, seven, on the ramping point, then it would seem to be a single piece of written work that would also address the

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the navitus point. So deadline seven would also be acceptable, although desirably we would like it to deadline six. Yes, no. Deadline seven. I'd agree with that. Mr. Smith. You're

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okay. Was there anything that the applicants wish to raise in response to what you've just heard, and also the two schemes that we've just referenced rampion and number two is by

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Simon Martin, you know, vi advisor for the applicants Sorry about that.

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Yeah, I think epic really just if there's anything further we can do, I suppose to provide

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further written representation on or information on those two projects, we do have some familiarity with with rampion

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less So, in terms of navitus Bay, but we have commented on those as you noted in our you know, deadline five response

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there are there are some comparisons I suppose to make and I suppose one of the one of the critical ones I would just raise at this point is the the nature of the the Suffolk coastline and its orientation and relationship to the to the projects. And it's a fairly, very consistent and coastline that's that's parallel to the projects.

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So as a result of that, the

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the the project wind farms tend to be viewed

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as horizon development costs.

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offshore from from that coast with this fast seascape between them, I think the difference to the other projects and particularly navitus Bay,

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but also I think, I think rampion as well

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is that they were viewed and in the context was in the context of

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coastal coastal landform features of very high value, you know, the White Cliffs, and along the Sussex heritage coast, for example, in in the rampion example,

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where the turbines were viewed and are viewed in

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you know, in direct relationship with with those coastal features.

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And the difference, I think, with the projects here is as I mentioned, they are separated by this vast expanses See, which will still be retained with with the projects.

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And I would, I suppose, would note in it and agree, especially with the, the comments made there in terms of the South downs national park with rampion, that it, it's the elevation of that, that landscape

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on the, you know, on the inland side of the coastal plain, and the developed landscape along the coast, which affords this auditorium actually referred to it there and opening, having open views across the, across the seascape. And I don't think, Well, I know that those those

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effects and those comparisons are very different with the coastal landscape. But in Suffolk that we've assessed for for East Anglia on North and two.

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Yeah. So this would be the main points I'd make on that. I think. Mr. Danny would also like to come in on that. Of course, yes, Mr. Denny.

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So just just one point, I apologise because what I'm going to say, I know that you will already know, but I will say it for the hearing, as a whole. And that is, of course, the difference that must be taken into consideration between Grampian and southdowns National Park, and this a&p and he is that for an AONB, the reasons for designation are in relation to natural beauty, eye protection of the landscape and all the facets of the landscape, cultural heritage and natural elements. Aside from anyone's ability to enjoy it, people visiting and seeing a natural beauty is a secondary function and the primary function of an LNB for National Park, people's recreation and enjoyment of the views and the beauty of the landscape, our primary function of the designation of national parks. And so there's a heightened element to views from South downs National Park, and quality landscape in relation to it being a national park landscape as opposed to an A and B landscape. And there's an important distinction there.

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Thank you, Mr. Denny. Mr. Smith, I believe there was

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something you wish to raise for the applicant? Yes, yes, I I did. And it This was a matter that I put jointly to Mr. Martin and Mr. Danny, and to the extent that we're kind of

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trying to describe the shape of an action that natural England might be able to respond to, at deadline seven within turn your own ability to to form a detailed response deadline aid.

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And it did occur to me that in relation to analytical work that you have done already in relation to both rampion and in deed, navitus.

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Would there be some, I mean, you've heard us articulate the nature of the brief around that action, what we're looking for. And I was wondering whether there might be some virtue in asking the applicants team to essentially put out their initial draft consideration of those factors, flied line six, because if natural England are, if natural, England's primary concern here is resource and time. And if the applicant were to essentially set out its initial drafting, on the points that we raised in relation to the action that we propose to put on natural England by deadline six,

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essentially as assistance in setting out the principles so that

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natural England

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at least

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To know the shape of the target that they're, they're aiming to land upon. And that might exist. Now, I don't want to add that to the action without canvassing it with you. And even if you're prepared to do it, I then want to go back to natural England and ask them if that would help them. Because what I don't want to do is to make this any more complicated than it already is, or any more resource consuming it already is. But it just struck me that it might be valuable. So can I just hear Firstly, from the applicant on a principle? Would that be useful exercise B, can you do it in the time scale? And then

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without interrupting Mr. hotkeys flow too much before we end this agenda item, I will then provide an opportunity for natural England to come back and give give their view about whether it would help. So to the applicant first.

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Yes, Simon, Martin LBI, advisor for the applicant,

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sir, from my point of view, I'm sure that's something we could we could prepare. And it helps with addressing the nature of your your brief there. I mean, just need to defer to

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the the academic applicant, Mr. Mr. valour or Mr. Ennis, just to confirm that in terms of

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preparation of those materials and the relevant deadlines, that we can submit those, but I in terms of the principle for doing that, and the brief fine, I understand and believe we could, we could assist.

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Okay, yes.

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I think Mr. Danny might want to have a view on that as well. So

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yeah, I'm just concerned that we, in this virtual world will make sure that the people I'm not committing to without having spoken some of these matters is a very dangerous thing. So I'm just gonna ask Mr. Denny to comment on that as to whether that timescale is is achievable.

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So I, I understood natural England's concern about the the the amount of work they thought they were going to have to do.

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Of course, there already is an environmental impact assessment for both navitus rampion. And therefore, as a starting point to to take the impacts as assessed from both those documents, I would suggest would be the best starting point and then, and then if natural England want to test those for themselves, then they can test those before they sign up to them. But that might be the quicker way forward, rather than thinking of this as a as a whole new kind of new assessment.

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position, it's a case of forming a draft from the existing published assessment documentation and then testing that

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which may assist natural England in dealing with it more quickly.

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If I can indicate, at least initially on behalf of the examining authorities, that that again, sounds like a valuable way forward. And I would also urged the value of looking briefly also at the examining authorities and recommendation reports and Secretary of State's decision obviously, in those cases, too, because obviously, what passes through the environmental impact assessment process is then moderated by by the examination process and then is acted upon by the final decisions, so they can be taken into account. And, okay, is there anything else that the applicant wishes to put to us on that? So in principle, the applicant will be content to set out a kind of thought paper for the best description on on those at deadlines?

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Right. And I do see Louis birth. Mr. Ennis, yes, comments above. And we will certainly endeavour to do what we can do within the timescale to move this forward. So absolutely. Yes. Thank you very much. So I can then see a hand from Louise Burton, and also from Simon Amstutz. Now noting that this is a burden on natural England.

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I think the best order of play there will be to hear Mr. hamsters first so that Miss Burton is in a position to wrap up on everything she's heard.

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Mr. X.

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Thanks very much for having me.

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Manager on behalf of the amb partnership. I just wanted to make a couple of points one.

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National Parks and aonbs share a statutory purpose to conserve and enhance natural beauty. So there is similarities there.

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And also, I think, we need to be mindful that the applicant has already assessed the impact of the

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proposal on the OMB and natural England have responded to that. So

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yeah, so I just wanted to make that point that that assessment has already been done.

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You know, we're strongly conscious of that. But to the extent that comparisons have been pitched into the consideration, stance, that's obviously what we're trying to do is calibrate, and the assessments of the comparative cases that we've been referred to, against the assessment we've been given here.

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Okay.

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Miss Burton.

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Thank you, Louise, better natural England.

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In relation to this work, I was going to ask for a break, because I wanted to go and discuss with colleagues. Because this is not a something that can be taken lightly from natural England's perspective, we are statutory advisor on the projects that is put in front of us, we are not scientific advisors on all projects across the country. And an ability to do that is based on resources and requirements from natural England's perspective. So I'd like to go and discuss with colleagues and I think there may well be a response back to yourselves later today as to what we are able to provide.

1:36:23

Our concern is even with what the applicant is putting forward, we have provided you with reference to the relevant sections of the decision making and the elements that we feel is appropriate to these, this particular examination in our deadline three, and all of our responses that we've provided. So we feel we have provided you with that comparison and recognise those points already. So

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it's, it's a question of

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roles remit and and actually resourcing enabled to deliver this. So I am just flagging again,

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that we will take your request, we will consider it as an organisation and we will come back to you as soon as possible. But obviously, in terms of doing that you do now have on the table, something that you didn't have before, which was the proposition that the applicant might essentially set out a thinking paper on this.

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At deadline six

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that is recognizer. And what I was all I wanted to explore in the here and now was whether you believe that added any value whatsoever to the proposition whether it would assist you at all, it may assist us but whether or not five working days or less than depending because we've only got five days working days between deadlines,

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whether or not and this is why I need to speak with colleagues whether or not we have availability ability to actually even do this assessment. Because even looking at a think note it is it still a big bit of work. And I'm not clear on as to whether or not this is something natural England would automatically get involved with.

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Okay, fine.

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Well, listen, why don't we pitch all of this back down to any other business at the end of today's hearing, and we can have a kind of monitoring point to come back, if that's that gives a number of breaks for natural England to seek views.

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And we will, we will revisit the point about, you know, precisely how we craft this, what is done by when, by whom, and in any other business. Apologies was to hopefully I'm taking your time, but I thought it was worth thought it was worth trying to settle that and at least provide us with a roadmap forward.

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Thank you. No problem, Mr. Smith. Okay. And just before? I think we do, we do need to have a break. But I just have one final question or request and bearing in mind what we just heard.

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I don't obviously wish to add unnecessary to parties burdens here. But

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in the deeply responses and D five report from the applicant, and indeed early reports on the applicants, that various positions on policy positions relating to a and b.

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And I think what would be useful as well would be an action. And as I said, I'm conscious of not overburdening people as well here it

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is that C positions would be very useful. Now, when I mentioned overburdening your final position could be we refer you to our position in our previous written reps. today. That will be fine by us. It's just so we have your policy position sell on the AIB by to close your examination

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if that would be acceptable to

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The Africans and to natural England.

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Mr. Martin was a

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yet sorry Simon Martin LBI advisor, the applicant that would be acceptable for the for the African. Thank you very much and Miss Burton

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Yes, that's acceptable to not to lengthened. Thank you very much. That's very useful indeed. Okay, so I think now would be a good time for a break. It's 1140. So I suggest that what we do now is we break until midday seems to make sense, a 20 minute break. So we should adjourn now till midday. Thank you.

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Thank you very much.