

File Name: ISH6 - 26 June 2023_Part 1.mp3

File Length: 01:59:56

FULL TRANSCRIPT (with timecode)

00:00:06:22 - 00:00:12:05

Good morning, everyone. And just confirm that everyone can hear me clearly, please.

00:00:13:26 - 00:00:15:08

I can hear you, Mrs. Makinson.

00:00:16:03 - 00:00:16:21

Thank you.

00:00:17:03 - 00:00:22:09

Can also confirm with Stuart Avis that the live streaming and recording of this event has commenced.

00:00:29:21 - 00:00:30:14

Yes.

00:00:31:00 - 00:00:36:04

Can't see the applicants team at the moment, so we'll just give them a moment.

00:00:40:12 - 00:00:44:16

You will be coming. Okay. Turn them.

00:00:47:21 - 00:00:49:14

Whom I can see. Yep.

00:00:49:21 - 00:00:50:24

Yep. We are good.

00:00:51:13 - 00:01:21:18

Perfect. Okay. Thanks very much for that. For those people watching the live stream, can I also advise that? Should we at any point adjourn the proceedings this morning? We will have to stop the live stream in order to give us a clear recording. Fails as a result of the point at which we recommence the meeting and restart the live stream. You will need to refresh your browser page to view the restarted stream and will remind you of this again. Should we need to adjourn? It's now 1001 and it's time for this hearing to begin.

00:01:21:26 - 00:01:55:17

I would like to welcome you all to this issue. Specific Hearing six on environmental matters in relation to an application made by CHP Limited, who we will refer to as the applicant for an order granting development consent for the Med with energy from waste combined Heat and Power facility. The development proposed comprises the construction operation and maintenance of the energy from waste combined heat and Power facility with associated grid connection, CHP connection, water connections, access improvements and temporary construction compound.

00:01:55:28 - 00:02:16:15

Thank you all for attending this hearing. Good morning. And my name is Clare Magnusson. I'm a chartered town planner employed by the Planning Inspectorate, and I've been appointed by the

Secretary of State for levelling up housing and communities to be part of the panel to examine this application. I'm now going to ask my fellow panel member to introduce himself.

00:02:18:01 - 00:02:34:12

Thank you very much, Mr. Makinson. Good morning. My name is Andre Pinto. I am a charter town planner employed by the Planning Inspectorate, and I have been appointed by the Secretary of State for levelling up housing and communities to be the lead member of the panel to examine this application.

00:02:35:20 - 00:03:11:27

So together we constitute the examining authority and we will be reporting to the Secretary of State for Energy Security and Net-zero with a recommendation as to whether the development consent order should be made. The case manager for this project is Tracy Williams. Tracy is supported today by Mr. and Mrs. Phoebe Chalice. If you have any queries about the examination process or the technology we are using for virtual events, there should be your first point of contact. Their contact details can be found at the top of any letter you've received from us or on the project page of the National Infrastructure website.

00:03:12:15 - 00:03:17:04

I'll now hand over to Mr. Pinter, who will talk us through the rest of the agenda. Item one.

00:03:21:11 - 00:03:26:00

Thank you very much, Mr. Makinson. Can I just check that everyone can hear me clearly, please?

00:03:28:16 - 00:03:29:20

Yes, we can hear you.

00:03:30:24 - 00:04:03:07

Thank you very much. Um, I will now start by dealing with a few housekeeping matters. Today is a virtual event being held onto Microsoft's team platform. For those people observing or participating through teams in order to minimize background noise. Can you please make sure that you stay muted unless you are speaking? If you are participating virtually and you wish to speak at relevant point in proceedings, please use the hand up function. Please be patient as we may not get to you immediately, but we will invite you to speak at the appropriate time.

00:04:03:12 - 00:04:33:13

I would also like to remind people that the chat function of one Microsoft's team has been deactivated. So please don't try to use this at any point. If you don't manage to ask your question or raise your point at relevant time, there will be an opportunity at the end of the meeting to raise this and agenda item any other business. I don't think we have any telethon participants today, but if we do, you should clearly state your name if you wish to make a comment.

00:04:33:15 - 00:04:43:07

Once you have indicated that you wish to speak, please wait to be invited before making your contribution. Please speak loudly and clearly, especially those on the telephone.

00:04:44:22 - 00:05:16:24

We'll seek to allocate sufficient time to each issue to allow its proper consideration. We propose that today will be split into three sessions each of approximately an hour and a half to two hours at completion of the session at around 1130. We will have a break of approximately half an hour before resuming at 12:00 and continuing until 130. The final session of the day will take place between 230 and 4:00. We will, however, be flexible about this timings for this hearing.

00:05:16:26 - 00:05:29:09

Timings will need to be flexible as the biodiversity topic may not take the full allocated time and so we may be able to bring traffic and transport forward in finished a little bit earlier than anticipated.

00:05:30:25 - 00:05:53:26

As we are conducting this event virtually rather than a physical, face to face event, the dynamics will be different for those participating and observing. By this means that you may see me or Mrs. Magnussen looking away from the camera and not looking directly at the speaker. This is because we may be writing notes or looking at other material on our screens, but we'll be paying close attention to what is happening.

00:05:56:03 - 00:06:29:25

In addition to the live stream, a recording of today's meeting will be made available on demand with energy from Waste Combined Heat and Power Facility section of the National Infrastructure Planning website as soon as practicable after the meeting has finished. With this in mind, please ensure that you speak clearly into a microphone stating your name and who you are representing each time before you speak. If you are attending virtually and don't want your image to be recorded, please turn off your camera. Because the digital recordings that we make are written and published.

00:06:29:27 - 00:07:04:03

They form a public record that can contain your personal information into which the General Data Protection regulation apply. Only in the rarest of circumstances might we ask you to provide personal information of the type that most of us would prefer to keep private or confidential? Therefore, to avoid the need to edit digital recordings, please try your best not to any information to the public records that you would wish to keep private or that is confidential. If you feel that personal information is necessary, please provide this in a written document that we can redact before publication.

00:07:04:08 - 00:07:42:02

The planning inspector's practice is to retain and publish recordings for a period of five years from the Secretary of State's decision. A link to the planning Inspectorate's Privacy Notice was provided in the Rule six letter. I assume that everybody here today has familiarize themselves with these documents which establishes how the personal data of our customers is handled in accordance with the principles set out in data protection laws. Please speak to the case team if you have any queries about this. This meeting will follow the agenda as published on the 19th of June 2023, and it would be helpful if you had a copy of this agenda in front of you.

00:07:42:27 - 00:07:46:09

Has anyone not have access to an agenda?

00:07:52:13 - 00:08:22:21

I don't see any hands raised. So I assume that everyone has access to an agenda. So to briefly summarize the agenda, item one is welcome and introductions. Item two will cover the purpose of this issue specific hearing. Item three will cover landscaping. Visual item four will cover biodiversity. Item five will cover traffic and transport. Item six will review the issues and actions arising. Item seven is any other business, and item eight is the closure of the hearing.

00:08:23:09 - 00:08:54:29

We will conclude the hearing as soon as all relevant contributions have been made in all questions asked and responded to. But if discussions can't be concluded, then it may be necessary for us to prioritize matters into the further matters to written questions. Likewise, if you cannot answer the questions being asked or required time to get information requested, then please can you just indicate that and you will respond in writing and will advise you when it will be best to submit your response or issues in writing to us.

00:08:55:23 - 00:09:00:18

Thank you very much. Does anyone have any questions on what have just set out?

00:09:06:06 - 00:09:36:06

I don't see any hands raised. So assume that that is now. So will then move us on to introductions. And I'm going to ask those of you who are participating in today's meeting to introduce yourselves when state your organization's name, please could you introduce yourself stating your name and who you represent and which agenda item you wish to speak on. If you are not representing an organization, please confirm your name, Summarize your interest in the application and confirm the agenda item upon which you wish to speak.

00:09:36:17 - 00:09:47:27

And could I please also ask everyone to state how they wish to be addressed and so can actually start with the applicant. Please, if you could introduce yourselves.

00:09:51:03 - 00:10:03:18

Good morning. My name is Claire Broderick. I'm a legal director at Pinsent Masons for the applicant. I will now let the other members of the applicant team introduce themselves. Thank you. Thank you.

00:10:06:02 - 00:10:15:04

Good morning, sir. My name is Gary McGovern. I'm a partner with Pinsent Masons LLP Solicitors for the Applicant, and you may refer to me as Mr. McGovern. Thank you.

00:10:15:21 - 00:10:16:10

Thank you.

00:10:17:20 - 00:10:25:08

Good morning. My name is Tim Marks. I am the head of planning at Environments Limited and you may refer to me as Mr. Marks.

00:10:26:09 - 00:10:26:29

Thank you.

00:10:28:17 - 00:10:37:10

Good morning. My name is Paul Carey, managing Director of Environment Limited. And the applicant and I may be referred to as Mr. Kerry.

00:10:38:16 - 00:10:40:00

Thank you very much, Mr. Kerry.

00:10:42:02 - 00:10:57:12

Good morning. My name is Neil Furber. Associate Director at HCA UK, and I'm the landscape consultant for the applicant. Within item agenda, item three can be referred to as Mr. Furber.

00:10:58:10 - 00:10:58:27

Thank you. Mr..

00:11:02:14 - 00:11:16:11

Good morning, sir. My name is David Kenyon. I'm a technical director at WSP and Town Planner. I can be referred to as Mr. Kenyon, and I'll be potentially answering some of the questions with regard to traffic and transport. Thank you.

00:11:17:09 - 00:11:17:27

Thank you.

00:11:18:25 - 00:11:30:24

Good morning. My name is Grace Smith. I'm from. Associate director from WSP. I'll be answering traffic and transport. And you may refer me as Mrs. Smith.

00:11:33:14 - 00:11:35:07

Morning. I'm Bev.

00:11:35:09 - 00:11:47:18

Coupe. I'm a technical director at WSP and I'm leading out on the traffic and transport aspects and I can be referred to as coupe.

00:11:48:24 - 00:11:50:17

Ms. Coupe Thank you very much.

00:11:51:23 - 00:12:03:25

Claire Project the applicant. We also have another member of the applicants team who is joining separately virtually, Chris Maguire. So just ask him to introduce himself.

00:12:05:21 - 00:12:06:10

Thank you.

00:12:07:27 - 00:12:08:12

Mr..

00:12:09:11 - 00:12:21:17

Good morning. Christopher Melcher, technical Director, WSP representing the applicant on. I'll be here to field any biodiversity questions and can be referred to as Mr. Major.

00:12:22:13 - 00:12:23:11

Thank you very much.

00:12:25:22 - 00:12:29:22

Claire, the applicant. That concludes the applicants team for today's hearing. Thank you.

00:12:30:12 - 00:12:39:26

Thank you very much, Mr. Broderick. Can I now, in that case, move us on to the local authorities, please? If I could ask you to introduce yourselves and confirm your name.

00:12:45:25 - 00:13:10:06

So good morning. My name is Andrew Fraser at Kings Council. I'm representing Cambridgeshire County Council and Fenland District Council, which we will collectively, if we may refer to as the councils. I have other members of my office, a team, but it's probably more convenient, if I may, to introduce them as they come on to deal with their specific topic matters because there are quite a number.

00:13:11:16 - 00:13:15:16

And yes, that's fine. Thank you very much for that confirmation. Mr. Andrew

00:13:17:22 - 00:13:23:21

Kent can also ask if we have someone from Norfolk County Council. I believe we do.

00:13:42:24 - 00:13:51:27

Good morning. Think we have? If believe if my notes are correct, I think we have a mr. serious cough ski with us.

00:14:01:11 - 00:14:15:25

Okay. I will go back to this name later on. It is seen that we do not have this person with available with us at the moment and we have Ms.. Smith as well from Norfolk County Council.

00:14:16:22 - 00:14:28:16

Hello? Yes, Emily Smith. I am representing Norfolk County Council for Landscape Advice. So be potentially responding on section three and can be referred to as Miss Smith.

00:14:29:13 - 00:14:43:06

But thank you very much, Miss Smith. Can I just check if because we do have notice of missing from Norfolk County Council. Can I just check if you know if he's with us today? If we are expecting him?

00:14:43:16 - 00:14:49:04

He should be. He was in the call. I'm guessing he may have just had to drop out. So he should be back with us.

00:14:49:12 - 00:14:51:00

Okay. Thank you very much.

00:14:58:15 - 00:15:05:04

And cannot just check before move on. Do we have anyone else from the host? Local authorities.

00:15:07:04 - 00:15:07:27

With us.

00:15:13:26 - 00:15:21:27

I believe not. Okay. So I'll move us on to a mr. Human, I believe from we from Wisbech Town Council.

00:15:25:24 - 00:15:26:10

No.

00:15:28:19 - 00:15:36:29

Uh, I'm of a son to interested parties, then. If I could ask the interested parties to introduce themselves. I believe we have an experiment.

00:15:44:15 - 00:15:45:12

Good morning.

00:15:45:21 - 00:15:51:21

Good morning. Can you please introduce yourself and confirm your interest in the application, please?

00:15:52:00 - 00:15:58:00

Yeah. My name is Jenny Perryman. I'm an interested party and can be referred to as Ms.. Perryman.

00:15:59:17 - 00:16:06:16

Thank you very much. And do we have. Uh, Miss McCrae.

00:16:12:13 - 00:16:22:15

Good morning. My name is Valerie McCray. I'm a resident just representing myself. And you can call me Mrs. McCray.

00:16:23:05 - 00:16:28:11

Thank you very much. Mr.. McCray. And do you intend to speak at any agenda items today?

00:16:28:14 - 00:16:33:07

No, I'm not. I'm just a in as an interested party.

00:16:33:21 - 00:16:43:02

Thank you very much. Thank you. Can I ask if there are any other interested parties that have not called your name to introduce yourselves?

00:16:48:15 - 00:16:57:02

No. Okay. Do we have any other non interested parties with us? Anyone else that have not called your name? And you would like to introduce yourself?

00:17:00:23 - 00:17:12:20

I don't see any hands raised, so I assume that that is the end of our introductions then. So thank you, everyone. Um, I do have a hand raised now, Mr. Andrew Fraser.

00:17:14:22 - 00:17:40:29

So, yes, just to mention that when we did the initial stages, we found that Mrs. Manson's microphone was very muffled. And whilst we could hear and make out what she was saying, it was quite difficult to do. So you're coming through and all the other participants are coming through, as it were, loud and clear. So I'm just wondering if Mrs. Meghan's microphone is obscured in some way, Right. Causing that effect.

00:17:41:08 - 00:17:47:18

Okay. We'll try. We'll try and address that. Thank you very much, Mr. Circuit And.

00:17:51:18 - 00:18:01:04

If that is the end of the online introductions, then I will now hand over to Mrs. Morgenstern, who will lead on item two of the agenda. Mr. Makinson.

00:18:04:12 - 00:18:13:25

Hello. I'm back now. Can I just put my headset on just to see whether that makes a difference in terms of the microphone volume. Um, does that help at all?

00:18:14:20 - 00:18:16:05

I can hear you very clearly.

00:18:16:24 - 00:18:18:01

It's much better from our end.

00:18:18:03 - 00:18:51:17

Thank you. Okay, no problem. I took it off because it was causing my computer to crash this morning, so fingers crossed everything will stay working as we work through this agenda item. So thank you for that, Mr. Pinto. Um, if I can now just briefly explain the purpose of this issue specific hearing. Um, this is agenda item two. And the purpose of this hearing is to undertake the examination of environmental matters, particularly in relation to landscape and visual visual effects, biodiversity in traffic and transport.

00:18:51:19 - 00:19:23:20

As previously mentioned, an agenda for this item was published on the 19th of June 2023. Today's hearing will be a structured discussion led by the Examining Authority. Please be assured that we are familiar with what you've already submitted in writing to us so you don't have to repeat in length anything that you've already put to us in writing. So emissions carry equal weight regardless of the format in which they are put to us. If you do refer to any documents this morning, it would be helpful if you could give us the correct library reference number.

00:19:23:26 - 00:19:36:13

Please do try to avoid using acronyms as people who might be watching in the room might not be as familiar with those terms as you are. Are there any comments anyone would like to make on item two of the agenda?

00:19:40:03 - 00:20:11:22

If not, I will move on to agenda item three. Landscape and Visual. In this item will want to discuss a proposed development in relation to landscape and visual effects, mainly assessment methodology, construction and operational effects in mitigation. Before I start, there are a number of documents that were included in the agenda for this item which will be referring to. I do not intend to read out the full list and if everyone's happy, I will assume that people have that available from the agenda.

00:20:12:05 - 00:20:45:22

I would, however, like to mention the references for documents where these references weren't available when the agendas were published. These specific documents are Cambridgeshire County Council Local Community Mitigation package. Initial suggestions that's Rec 5045. The applicant's response to Q two that's rep 5032. Cambridgeshire County Council and Fenland District Council comments on any further information Submissions received by Deadline four.

00:20:45:24 - 00:21:29:15

That's Rep 5043. Cambridgeshire County Council and Fenland District Council Response to issue four and five action points. That's Rep 5044 and Cambridgeshire County Council and Fenland District Council Response to two That's Rep 5045. If this is clear, then I'll start with my first question, which is to the applicant, please. So if the applicant can please start by commenting on their approach to landscape and visual effects as detailed in chapter nine of the landscape and visual that is Ref app 036.

00:21:29:23 - 00:21:59:24

If you can focus particularly on the scope of the assessment, the assessment methodology, including significance and likely significant effects, if there are any viewpoints from the landscape and visual impact assessment that you would like to share on the screen at this point, then I'm happy for you to share them yourselves. If you can state the document reference and page number clearly first, or alternatively, if you let me know the references and page numbers, I can try and share them myself on screen for you. Thank you.

00:22:03:18 - 00:22:58:28

Neil Furber from the applicant. So. The scope of the assessment. The scope of the Elvia was subject to extensive pre-application discussions with the Council's appointed landscape consultants, and those discussions led to agreement on the extent of the study area and the number and location of the viewpoints which comprise 30 viewpoints in total and the type of visualization required for each

viewpoint, which in summary was largely photomontage, very verified, which referred to as a type for verification, which is a certain standard of accuracy for best practice.

00:22:59:18 - 00:23:15:08

And the record of all of this consultation can be found in appendix nine A, which is formally 6.4 of Chapter nine. The Appendices. The reference for that is App 79.

00:23:17:00 - 00:23:50:01

So following the consultation for the environmental statement scope, further consultation was held post submission, and this led to the issue of a number of cross-sections and clarification. Z TVs. Z TVs. Um stands for Zone of Theoretical Visibility and these included in the deadline one submission, which is 9.2.

00:23:50:03 - 00:23:58:25

Applicants response to the relevant Reps Part nine Appendices and the references Rep 1036.

00:24:01:10 - 00:24:30:25

So the study area. The spatial extent of study area is shown. On figure 9.1, which is App 53, and that simply shows that it extends to a 17 kilometer radius, which extends in all directions from the center of the CHP facility. And that study area encompasses the

00:24:32:12 - 00:24:42:19

facility itself, the connection, all of the access improvements, the TCC and the water connections.

00:24:45:13 - 00:25:14:13

It also includes well, the approach adopted basically was to find a single study area which was consistent for all project components that I've just listed. And which allowed the assessment of the landscape and visual receptors within the study area where it was identified that likely significant effects could result from one or more of the project components.

00:25:17:13 - 00:25:51:00

In terms of the temporal scope of the landscape and visual assessment for the construction period. This included the period during when construction was at its greatest level of activity. So it's assuming the sort of worst case scenario or maximum effect scenario. And with regards to the operational period. The assessment was undertaken for the first winter following the.

00:25:52:25 - 00:25:59:27

Commencement of operations of the development, i.e. winter 2026.

00:26:01:28 - 00:26:37:01

Whilst it was considered that there would be minimal variation between between the winter and summer periods. The winter assessment with potential increase due to sort of seasonal leaf loss, would align with the photography that we've included within the assessment. So we've assessed the maximum potential magnitude in all cases, both in terms of the visual material that accompanies the application and in the written written form.

00:26:39:01 - 00:27:11:17

Finally, with regard to the temporal assessment that effects associated with the decommissioning phase. Uh, predicted to be of a similar level to those proposed for the construction phase works, albeit that they would be a lesser duration, typically a year. So the likely significance of effects related to the construction phase of reported and reported in the chapter and therefore applicable also to the decommissioning phase.

00:27:13:24 - 00:28:04:03

So that's a brief summary of the scope of the assessment. And then very briefly, I would just like to summarize the type of receptors that we covered. So in relation to landscape receptors, there were three main categories. Um. First was landscape elements that are located within the order limits and might be subject to direct and physical change. The second item is landscape character within the study area, which is defined at a national and local level, and those are expressed through what are commonly referred to as locus or landscape character areas where there may be direct or indirect effects.

00:28:05:06 - 00:28:26:28

And then the third category of landscape receptor is designations. However, it should be noted that there aren't any national or local designations within the study area and with regard to visual receptors. The starting point for that assessment was the TVs, which can be found.

00:28:28:19 - 00:29:07:02

At it's 9.2 onwards. So the reference for that is app 053 and they show. Locations within the study area where views of the proposed development may be theoretically available to visual receptors and won't be referred to visual receptors. We're talking about people and they typically categorized into residential, recreational and people in vehicles, their vehicular receptors.

00:29:07:20 - 00:29:15:08

So this is all set out in detail in chapter nine of the which is App 36.

00:29:17:28 - 00:30:06:22

Terms of the methodology. The methodology is follows best practice guidance that's been published by the Landscape Institute, um, commonly referred to as level three guidelines for landscape and visual impact assessment. And that's set out in table 9.6 of volume 6.2 of the chapter, which is App 36 and the councils appointed landscape consultants have confirmed through both pre and post application consultation that the methodology, both for the assessment itself, for the Steve's and for the visualisations is acceptable.

00:30:08:27 - 00:30:26:16

So that level of landscape and visual effects that are recorded in the environmental statement are determined with reference to the sensitivity of the receptor. And the magnitude of change that's experienced.

00:30:28:13 - 00:30:42:05

And as agreed with the. Authorities, whether or not a moderate level of effect is considered to be significant will depend on professional judgment.

00:30:48:21 - 00:31:24:00

So some of the key landscape and visual effects of the proposed development, if briefly summarize, are basically can be categorized into the effects on the character of the landscape. The character. What of the town of Wisbech, which is commonly referred to as Townscape character? And views from numerous locations within the study area which which were referred to as visual receptors.

00:31:24:03 - 00:31:33:09

That includes residential areas, the footpaths, the cycleways, the roads. So where people will will have a view of the proposed development.

00:31:36:01 - 00:32:06:01

The. Landscape for visual assessment included. That there would be likely significant landscape and visual effects. Um, from a number of, um, receptors in terms of landscape receptors, those would

comprise locally significant effects. From the West Beach settled fen landscape character area which lies closest to the

00:32:08:07 - 00:32:09:18
CHP facility.

00:32:11:23 - 00:32:29:24
And. That's the extent of significant landscape character effects. In terms of visual effects. Those would cover in visual impacts on residents of ten. Newbridge Lane,

00:32:31:12 - 00:32:34:12
25, Cromwell Road.

00:32:35:27 - 00:32:39:08
Um, and parts of the community of Baghdad.

00:32:40:23 - 00:33:12:07
Which summarizing the effects of significant visual effects on. On those residential receptors in terms of recreational users. These are localized sections of the Neen way, which is a long distance footpath south of Wisbech. Recreational uses of the Sustrans national cycle. 63 Recreational users of Half Penny Lane.

00:33:13:00 - 00:33:25:09
Which is a decimated by way of recreational uses, of public rights, of way, which is a cluster which is located west of Backdoor.

00:33:26:27 - 00:33:37:09
Um, recreational uses of a single public right of way, which is referred to as the steel, which is located south of Livingston.

00:33:39:10 - 00:34:10:19
Um, and then that that's concludes the extent of significant effects on recreational users. And then in terms of vehicle users, these would be restricted to eastbound. Traffic on the A47. And users of the B1 nine eight Cromwell Road on the section south of the. Town centre where it adjoins the A47.

00:34:11:00 - 00:34:18:07
There's a viewpoint at the roundabout. Viewpoint five that marks the junction between the A47 and the B1 98.

00:34:25:14 - 00:34:29:12
So in terms of where the judgments on significance.

00:34:31:04 - 00:34:44:04
Were made. We concluded that there would be a moderate level of effect for the receptor groups of the Greenway, the Sustrans and national cycle route

00:34:46:03 - 00:35:01:13
public right of way, the still and the B1 nine Mile Road. And whilst moderate may not be significant in this instance, through our professional judgement, we considered that these these effects would be significant at a moderate level

00:35:02:28 - 00:35:12:15

and that aligns with the approach that is set out in the AG and also in line with best practice guidance in three.

00:35:15:21 - 00:35:29:10

In terms of mitigation. Um. I think it's relevant to draw attention to N1. Um, it is quoted within. Um.

00:35:31:13 - 00:36:05:27

The landscape and visual chapter, but it's probably just simpler to give you a reference to one which is paragraph 5.9.8, and that states and it's just a couple of sentences, so I'll briefly run through that for you. It says that virtually all nationally significant energy infrastructure projects will have effects on the landscape. Projects need to be designed, carefully taken account of the potential impact on the landscape, having regard to siting operational and other relevant constraints.

00:36:05:29 - 00:36:41:06

The ancient be to minimise harm to the landscape, providing reasonable mitigation where possible and appropriate. And I would just like to emphasise the point is to minimise harm, not to eliminate harm and to provide reasonable mitigation and where possible. Um, also paragraph 4.5.4 of NPS. Ian one states that in considering applications, the Secretary of State should take into account the ultimate purpose of the infrastructure.

00:36:41:11 - 00:36:48:05

And bear in mind the operational safety and security requirements which the design has to satisfy.

00:36:49:26 - 00:37:20:22

So all the mitigation measures that are relevant and implementable have been embedded into the proposed development and are set out in detail in tables nine, 12 and 919 of Chapter nine of the which is App 36 and they would be implemented through requirements two, four, five, 18 and 19 of the draft DCO.

00:37:21:13 - 00:37:27:28

I think we're currently on a three which is rep 307.

00:37:30:24 - 00:37:50:18

Just to confirm that no additional mitigation measures are proposed at this stage to further reduce the landscape and visual effects, because we've identified all relevant, implementable measures already and those have been embedded and are considered to be. Are effective and deliverable.

00:37:53:00 - 00:37:59:06

And just another final reference to one. Um.

00:38:00:29 - 00:38:39:13

Which states that paragraph 4.5.3. The whilst the applicants may not have any or very limited choice in the physical appearance of some energy infrastructure. There may be opportunities for the applicant to demonstrate good design in terms of siting relative to existing landscape character, landform and vegetation. Furthermore, the design and sensitive use of materials in any associated development such as electricity substations, will assist in ensuring that such development contributes towards the quality of the area.

00:38:40:12 - 00:39:16:14

And I'd like to draw attention to the design and access statement, which is volume 7.5, and it can be found at App 96, which documents the design process and the options that were considered, um, including those that were dismissed in terms of the mass, the scale, the roof profile and cladding material scales. So there was a large amount of work was undertaken to, to arrive at the draft design.

00:39:18:25 - 00:39:48:09

It's inevitable that some significant landscape and visual effects would remain given the scale of the proposed development, which is determined by the functionality of the various components. And this is not unusual for any power station. In fact, on the sort of for other projects, projects I've been involved in the last 15 years, in every case, there were significant landscape visual effects.

00:39:50:18 - 00:40:27:00

Other forms of development located in the study area have also resulted in significant effects that cannot be fully mitigated. Don't really want to go into that in detail, but it's obvious from the study area, from the commercial scale wind farms and the 400 pylons that there is vertical infrastructure as an established feature in the landscape. And so with mature trees typically reaching heights of 15 to 20m, any planting in terms of mitigation planting would eliminate views of the upper parts of the

00:40:28:21 - 00:40:58:29

facility. Um, however, as you will be aware from traveling through the study area, the role in a flat landscape of existing shelter belts and other forms of vegetation in restricting views shouldn't be underestimated and that's obviously formed a careful part of the assessment that we've undertaken, where we've determined that there would be visibility or wouldn't be visibility.

00:41:03:16 - 00:41:08:24

And that's that concludes my summary in terms of approach.

00:41:11:25 - 00:41:29:24

Thank you. Thank you for that. Um, that was a detailed summary. Thank you very much. Um, if you can please explain how the significant effects that you've identified factored into your choice of location for the proposed development and alternatives.

00:41:34:27 - 00:42:05:19

Neil Faber for the applicants. I think this is. Occasion of having a site that's quite constrained in terms of its physical location. As you'll be aware from the the horizontal limits of deviation are quite limited because of the constraints. So we consider that as being an efficient use of land. Um, that's been undertaken. Also I think that

00:42:07:08 - 00:42:51:14

we're going back to the design and access statement where we've looked at various configurations of the building in terms of its components and roof scape and height. Everything those alternatives have been have been considered. What I would draw attention to is the location of the site on a on a brownfield site on the edge of an established industrial estate as opposed to potential other alternatives which could be either in an open countryside setting where there would potentially be a greater impact on landscape or in a location that was closer to, um, you know, residential areas.

00:42:51:16 - 00:43:17:23

And whilst we find some significant effects on individual residential properties, the separation distance between the selected site and the main sort of population areas of Wisbech is, is apparent by both in two dimensional form and obviously from the viewpoints that the that you will have seen as you've travelled throughout the study area.

00:43:20:21 - 00:43:37:14

Clear project for the applicant. Further detail on on this particular question is set out in the applicant's response to examining authorities. Question two which was LV .2.1, which is application reference rep 5032.

00:43:39:21 - 00:43:40:06

Thank you.

00:43:44:16 - 00:43:57:24

Thank you for that, Ms.. Broderick, and thank you, Mr. Furber. Um, Brandon, can I just ask the applicant to explain how the proposed development is justified in the presence of the significant effects identified?

00:44:03:27 - 00:44:38:04

A little further for the applicant. This is a planning balance question. So our responsibility is to identify where the significant effects are located. And as I said from my previous experience of for other projects, um, the significant effects of or relative are very localized in terms of landscape character because of the industrial location of the proposal on the industrial site.

00:44:38:19 - 00:45:04:29

Um, but in terms of visual receptors as well, those that are significantly affected, as I summarized previously, um, a fairly small in nature considering a fairly small in number, considering the scale of the proposal. Um, so it's, it's a question of those um, significant effects being weighed in the, in the planning balance.

00:45:07:29 - 00:45:33:10

The applicant in terms of the benefits of the project and why the applicants consider that these outweigh the significant effects that have been identified. The applicant refers to the Project Benefits report, which is app Dash 095 and also the planning statement, which is document app 091 and Mr. Kenyon can speak to the planning balance if that would be of assistance.

00:45:34:18 - 00:45:35:14

Yes, please.

00:45:39:10 - 00:46:16:28

David Kenyon for the applicant. And so, as Ms.. Broderick just mentioned, then the planning statement looks at the benefits for the project, but also looks at the impacts and takes both the conclusions of the landscape and visual assessment, but also the conclusions of all the other assessments which are reported in the, the environmental statement, um, and views them in light of policy. So primarily that's the NPS and the relevant NPS for this project and, but also local local policy as well.

00:46:17:13 - 00:46:48:10

And in doing so, it also considers the need for the development and clear will be discussing that tomorrow in terms of waste need at age seven. So understanding the national need for the project, understanding the the environmental effects that arise, as Mr. Furber explained, it's it's inevitable that you will have effects on this sort of project of a of this scale of a nationally significant project.

00:46:48:23 - 00:47:31:14

It's a case of balancing those, those pros and cons, so to speak, to come up with a with a conclusion. I think it's worth pointing out that, as Mr. Furber mentioned with regard to landscape, that there are no national designations affected by by this project. So no national parks, no mbes not, no nationally significant effects. And I think as a starting point, when you're looking at a nationally significant infrastructure project, it is that national level. You do begin with on the on the on the the effects as well as as the benefits working through that, then we're basically left with a series of local impacts and do not want to, um,

00:47:33:00 - 00:48:06:24

sort of put those down there equally very important. But in the context of the national need, the way that you may apply to them may be less than, for example, if it was an effect upon a national park in terms of a landscape matter. So going through that equation, um, reporting that in the planning statement, the conclusion is, is a guide to the planning balance is that the localised effects of the project are not significant source significant outweigh the national need for the project and the benefits that accrue accordingly.

00:48:08:04 - 00:48:11:06

Thank you. Thank you, Mr. Kenyon.

00:48:12:28 - 00:48:56:11

Okay. I would like now to ask Cambridgeshire County Council and Fenland District Council to outline their concerns as identified in the Joint Local Impact Report. That report 1074 and those identified in Cambridgeshire County Council and Fenland District Council deadline to written representation rep to that 033 and the the response to two, which is 5045, would wish to focus particularly on specific locations or viewpoints where there's a disagreement with the findings of the landscape and visual impact assessment.

00:48:56:13 - 00:49:11:02

And again, as part of this item, I'm happy for you to share any viewpoints from the on the screen. Um, if you can give the reference beforehand or let me know if you would like me to share anything on my screen for you. Thank you.

00:49:13:13 - 00:49:15:12

You're on mute, Mr. Fraser. Urquhart.

00:49:18:09 - 00:49:54:06

Thank you very much, ma'am. Ma'am, I'll start, if I may, by introducing Mr. Mark Flatten, who is our landscape and visual impact specialist. Once he's introduced himself, I'll then just describe in very broad terms the approach we're going to take to answering these questions, and then I'll turn it over again to Mr. Flatland to for him to go in detail through the points. There are a number of points to make, and it may take just a little while, but we want to give you a comprehensive summary of our view now.

00:49:54:09 - 00:49:59:01

We've heard from the applicant, if that's acceptable. So first of all, Mr. Flashman to introduce himself.

00:50:00:19 - 00:50:02:01

Good morning. I'm.

00:50:02:03 - 00:50:06:09

I'm Mr. Fatman. I'm here to discuss the landscape.

00:50:07:15 - 00:50:10:27

Do you want to just give us an indication of where you're from and your qualifications, please?

00:50:10:29 - 00:50:16:09

I'm a director at this Lake Associates, which is a local company.

00:50:16:26 - 00:50:20:23

Yeah. Right on cue. This is the scheduled fire alert.

00:50:22:09 - 00:50:24:21

Not a problem. We'll just take a moment to it. Stop.

00:50:28:17 - 00:50:29:13

As it stopped.

00:50:31:09 - 00:50:34:28

Is that Is that what we're going to get? Okay. We think that's all we're going to get, but who knows?

00:50:35:00 - 00:50:36:10

Okay, Please continue.

00:50:36:23 - 00:50:38:29

That one was just describing his qualifications.

00:50:39:01 - 00:50:50:22

So, yes, I'm a director at this lake, so I'm a chartered landscape architect and I've worked on a number of schemes in my time and

00:50:52:12 - 00:50:55:05

I've been involved in this scheme since since the start.

00:50:56:20 - 00:51:42:22

Thank you very much, Mr. Flashman. Now the matters we're going to address, ma'am, if we may. First of all, I'm just going to invite Mr. Flashman to say a word or two about the nature of the mitigation measures which are proposed. Um, then I'm going to by reference primarily to the applicants comments on our written representations, which is rep 3-039 by reference to 1 or 2 of the pages there, I'm going to ask him to describe the approach that should probably be adopted to assessing landscape and visual impacts in the round.

00:51:43:26 - 00:51:46:04

Could couldn't say sorry about this.

00:51:46:21 - 00:51:47:14

Part two.

00:51:47:26 - 00:51:49:00

Just take a moment.

00:51:49:02 - 00:51:49:18

That's okay.

00:51:51:21 - 00:51:56:14

Immediately by the nearest available exit.

00:52:00:07 - 00:52:40:24

We were warned that there was going to be a test. Just. It's quite uncanny how the timing is just when we're about to begin our submissions. As I say, having dealt with mitigation, I'm then going to ask Mr. Flashman to deal with 1 or 2 of the points that were taken in the applicants comments on the written raps. In particular, I'm going to ask him to deal with the overall approach to aggregating a series of effects which are assessed by discrete viewpoints. And and then I'm going to ask him to go through, as you have invited the various points where we disagree with specific assessments.

00:52:41:13 - 00:53:17:04

And that will be taken primarily from our response to examining authority questions. Round two, which is Rep five, dash 045, and then thereafter I'm going to ask him to deal with a specific point relating to landscape and visual effects with respect to the A47 and the way the applicants have treated that as a sort of border, a border feature for for those effects.

00:53:17:20 - 00:53:49:15

And then finally, we have evidence to give, although you may wish to take this under the agenda item relating to ten new bridge lane, but we've got some specific points to make about that. We may come back to that after the applicants have had their word on that. So that's how I propose to structure Mr. Flat Man's contribution this morning. So I'll now turn over to him and ask him, first of all, to deal with the nature of the mitigation that's that's provided in this scheme.

00:53:49:27 - 00:53:54:19

Mr.. Sorry to interrupt. If I can just ask, are you both in the same room?

00:53:54:21 - 00:53:56:08

There we are. Yes.

00:53:56:10 - 00:54:22:06

Okay. So just from a technical point of view, I've noted your microphone is unmuted. Mr. Frazer could quite rightly while you're speaking. But Mr. Flashman, yours is muted. If Mr. Flashman, when you're speaking, if you could unmute and Mr. Fraser could can mute, that would just help us pick up your vocal, your microphone much more clearly. And then have you not getting any background noise?

00:54:22:08 - 00:54:25:09

Have you had a difficulty hearing Mr. Flashman thus far?

00:54:25:11 - 00:54:40:17

It wasn't difficult, but could hear yourself moving around a little bit. So think it would just be clearer we can give it a try. If if there's an issue with that, we can revisit. But I just wanted to make that suggestion just so we don't get any background noise from that.

00:54:40:19 - 00:54:41:04

Of course.

00:54:41:06 - 00:54:42:20

No, we'll try it. We have we have.

00:54:42:28 - 00:54:44:11

Had found that this worked well.

00:54:44:13 - 00:54:45:13

But if it's okay.

00:54:45:15 - 00:54:47:12

If my fiddling about is disturbing you, then.

00:54:47:14 - 00:54:48:06

We'll try it with.

00:54:48:08 - 00:54:53:25

My. My problem is on. Thank you. Here's Mr. Flashman on his own mic.

00:54:58:11 - 00:55:00:05

If you can unmute, Mr. Flashman.

00:55:01:00 - 00:55:01:24

All right, here we go.

00:55:01:26 - 00:55:02:12

Can you hear me?

00:55:04:00 - 00:55:09:14

I can. It is echoing a little bit. We might have to go back to the original plan if if that.

00:55:09:16 - 00:55:12:23

Was that was the that was the reason we did this. Okay. Okay.

00:55:13:18 - 00:55:14:09

Okay.

00:55:15:06 - 00:55:16:15

Try again. Can you hear me now?

00:55:16:17 - 00:55:18:07

Yes, that's fine. Thank you.

00:55:18:10 - 00:55:19:05

That's brilliant.

00:55:23:00 - 00:55:25:00

Are. You're muted again now. I'm sorry.

00:55:25:10 - 00:55:29:11

Okay. Sorry. Okay, talk. I'll sit still.

00:55:29:13 - 00:55:41:29

The first item was mitigation. I think the key points here really that as has been set out by Mr. Ferber, the site is extremely constrained

00:55:43:18 - 00:56:15:17

in that the building is of such scale and and sort of fills the area that there is a very limited area that any planting of any note really. Um, the second point is that there was a net loss of vegetation of tree cover on the site. There's quite a lot of vegetation on the um Newbridge Lane frontage that will be removed and

00:56:17:11 - 00:56:28:15

a notably smaller line of trees is proposed within the site. Um. So that's that's a net loss of actual resource.

00:56:30:27 - 00:57:00:22

And again, the building is of such scale that it will be extremely difficult to mitigate for. And I think that's been set out and it's evident from the idea that these effects can't be mitigated because you'll see

in the assessment that the year one and year 15 outcomes for the landscape and visual there is there is no effect of mitigation. The the effects are the same for both years effectively.

00:57:07:25 - 00:57:09:22

So that covers that point, right?

00:57:09:24 - 00:57:32:04

So that's that's the mitigation point. Perhaps we could just to found the next set of questions, just take in hand the applicants comment on written representations. That's, um, 3-039. It's a series of points. But if we turn up to page 18 of that document,

00:57:33:25 - 00:57:34:10

um,

00:57:36:02 - 00:57:51:01

about the last full paragraph on the page, which starts with the words, the approach suggested by CC, C and C, where nonsignificant effects are combined to become substantial. Do you have that paragraph, ma'am?

00:57:53:14 - 00:58:01:01

If you could just give me a couple of minutes and I'll get that up on the screen if I can just carry on talking while I find that for you.

00:58:02:15 - 00:58:37:01

Thank you. The there's then a request effectively for us to justify this approach combined with the slightly pejorative request that we confirm whether this assertion represents the professional view of a suitably qualified landscape consultant. I think Mr. Flashman would hold himself out as being such. Fact Can you just explain your response to that point? And you might want to start with the Z TVs, which we've already just touched on.

00:58:37:09 - 00:59:01:27

Yeah, we've touched on the Z TVs already and think the Z TVs are a good starting point because they clearly show a huge amount of coloration showing that virtually the whole study area will be affected to some degree by the proposed scheme.

00:59:04:15 - 00:59:37:19

And of course, an idea and the selection of viewpoints is only a snapshot. So the viewpoints that you have in front of you and those effects are only going to be that snapshot. There are many, many, many other viewpoints that have effects that we felt throughout the study area, and that sort of thing shouldn't be forgotten. It's not question that effects get combined to become significant or something or what's been written here or substantial.

00:59:37:24 - 01:00:00:29

It's that there's an aggregation that this the feel of this landscape and townscape will change because no matter where you move throughout it, you'll always experience this development to one degree or another. Whether that is a significant view or a nonsignificant view, the effects will always be felt somewhere.

01:00:03:15 - 01:00:09:16

And does that apply to landscape matters alone or visual matters or both?

01:00:09:20 - 01:00:38:29

It's both. And I think the fact that you feel and will see this development from many, many locations as suggested by the Z. And the work that's been done that suggests that there will be the perception and a change in character on that side as well. So it's not just landscape. It's visual. It's both.

01:00:40:14 - 01:00:46:12

Thank you. Can we then turn to the matter of.

01:00:48:14 - 01:01:19:00

Particular viewpoints which you suggest the impact in respect to which you suggest the impact may have been underestimated. You've set out in the authority with no doubt your guidance is set out in representation 5-045, which is the response to the examining authority questions Round two

01:01:20:17 - 01:01:39:08

starting at page 16, where we deal with landscape and visual matters. You've set out a number where you have set out your disagreement with the assessments. Can you just walk us through those, please, as it were, one by one to give us your your take so we can have the full view?

01:01:39:27 - 01:02:01:06

Yes, I think I can run through, first of all, the visual side and starting point is that there are a huge number of visual effects of varying magnitudes and therefore significant, both significant and non-significant effects. And just to run through some of these in turn.

01:02:02:24 - 01:02:42:07

First one that we'd identified was the community of Wisbech Saint Mary, which is located to the west of the site. Um, and the assessment for one of the viewpoints which is viewpoint 15 states that this is representative of views available to residents. Now I appreciate that the viewpoint photography on that view is set behind the tallest of trees. Um, but elsewhere there are bound to be some locations where, um, the tree cover won't be present, the views will be more open.

01:02:43:01 - 01:02:46:01

Um, and therefore I think that.

01:02:47:25 - 01:02:52:13

Whilst the table that goes with the assessment shows that is non-significant.

01:02:54:10 - 01:03:02:02

Parts of that community will will have a moderate magnitude of change. So I think that's where there's a variation in judgment there.

01:03:04:10 - 01:03:05:12

Thank you. Moving on.

01:03:06:25 - 01:03:08:16

A similar area, the

01:03:10:01 - 01:03:18:06

Bevis Lane, which is located just to the south east from Wisbech Saint Mary

01:03:19:28 - 01:03:21:02

Bevis Hall,

01:03:22:29 - 01:03:27:11

and that that is viewpoint 15

01:03:29:10 - 01:03:58:12

and again that that view is that's the view behind the tree cover but that tree cover is is is limited to that point. And I think if you move along the lane in a slightly different position. Um, there were areas, sections of that road where views will be clearer and more open and therefore the development will be more visible. So not just the, the stack, but the actual, the building, the bulk of the building as well above the tree cover.

01:04:00:03 - 01:04:08:13

Um, so again, we'd say that the assessment for that the magnitude of change will be will be greater for that.

01:04:12:22 - 01:04:13:20

Thank you. Next.

01:04:13:22 - 01:04:21:07

Moving round. Mr. Furber has already quite rightly highlighted a number of significant effects.

01:04:23:00 - 01:04:53:03

They were high sensitivity receptors associated with the way crooked bank narrow drove sort of the area just to the west of a big dial, which is quite right. But our findings are that we also think that areas further to the south of the proposed development and to the south east, so to the east of Big Dale should also be considered.

01:04:53:05 - 01:05:20:23

So as an example, to the south east of the site, there are road users, for example, in the vicinity of Needham Bank and Barr drove Kirkham Lane and Gossman Lane that are not really considered fully in the assessment. And you know, they're going to be covered in the Z TV. But the assessment doesn't suggest any effects have been identified. And so.

01:05:23:00 - 01:05:42:27

Our assessment is that we consider that will result in a range of medium or low magnitude of change and therefore some moderate and significant effects and some minor significant effects as well as the

01:05:44:13 - 01:05:48:13

which reduce the distance that those are for the road users.

01:05:49:29 - 01:05:50:27

And then

01:05:52:23 - 01:06:01:24

the bridge area, which is to the southeast of the site, but just to the east of Big Dale. Um

01:06:06:20 - 01:06:14:00

think that the assessment for that community, whilst some of the community will have

01:06:15:18 - 01:06:26:09

a limited view or no view, I think it's pretty clear from the site work that I've done that the local stations that the residents really to the west of.

01:06:29:07 - 01:06:47:11

Friday Bridge Road, which is the B11. Oh one will be subject to effects. And, and we think that the assessment will be greater than very low and it would be at least a low magnitude of change. Um.

01:06:49:01 - 01:06:51:09

For both the construction and operation period

01:06:53:15 - 01:07:31:15

and think that is that can be seen. That's quite evident because there is a public right of way, actually a byway, which is byway 72 nine, which is a long road called Back Lane, just south of south of Elm, which hasn't been included in the assessment. I think it's quite clear that there'll be views from there and from that particular right of way. We also say that there would be at least a low magnitude of change and therefore moderate effects as well.

01:07:34:25 - 01:07:35:25

So that covers.

01:07:37:15 - 01:07:38:17

Is within

01:07:40:24 - 01:07:52:06

sort of the, let's say, two and a half, three kilometre radius south of Friday bridge. There were some quite open areas of land as well. And.

01:07:54:05 - 01:08:24:11

The assessment, I've noted, does suggest that the settlement pattern is particularly dispersed, almost absent, and it's a pretty rural, flat, open area beyond Friday's bridge. And in that area there are again, local roads such as lattice drove and key footpath in that location, which is lattice bank, and that's

01:08:26:03 - 01:09:01:21

72, 14 and 7215. And they run between Long Beach Farm, which is to the west of up well all the way through to Multimatic Farm, south of Bridge. And that's a very open area from where there'll be clear views of the proposed scheme. It's interesting to note that when you walk along that footpath, in particular, the cold store building appears and then disappears from view.

01:09:01:23 - 01:09:10:03

So even though that's a, you know, it's not a small building in itself, but the contribution of some of the surrounding vegetation

01:09:12:20 - 01:09:20:20

does limit views of that particular building. But obviously the proposed scheme here, the building is, you know, nearly twice as tall

01:09:22:25 - 01:09:33:21

with the stack as well. So we say there will be views from on there as well with at least a low magnitude of change and therefore moderate significant effects for that location.

01:09:37:11 - 01:10:00:18

And the reason for highlighting these views is that it's it's important to understand it. The effects and the significant effects that we say exist south of Bedell and Elm. Um, but within a sort of a, you know, a five kilometre zone from, from the site.

01:10:05:04 - 01:10:12:23

The other view I'd like to highlight as well was a view. It was a viewpoint seven, which was, um.

01:10:14:17 - 01:10:20:27

We we we consider should be assessed as a moderate magnitude of change and not low

01:10:22:15 - 01:10:23:28
on the basis that the.

01:10:29:13 - 01:10:54:13

The area that that photograph is taken from. The foreground view consists of quite a few residential properties. And in the foreground those are consist of bungalows. So the change of scale for that location is going to be quite stark. And therefore that was the reason why we considered that to be a moderate magnitude of change and not a low magnitude of change.

01:10:56:21 - 01:11:17:22

And then finally, on the visual side, it's also important to remember that local roads and lanes and droves in this particular landscape are not only used by vehicles, they are used by the general public to connect between the public rights of way.

01:11:20:26 - 01:11:33:21

So they use those lanes, those roads, to actually get through the landscape and experience the landscape. So it's important to recognize that. So that covers the the visual side.

01:11:35:24 - 01:12:09:01

I'll move on to the landscape and townscape sectors now. Um, Mr. Fergus mentioned a couple of those already, so the first one was the Wisbech settled Ben and clearly the significant effects were acknowledged. Um, but we noted that the table refers to it as being non-significant because the assessment suggests it's covering the whole landscape character area and don't think in terms of a presentation.

01:12:09:03 - 01:12:32:04

I think if you're going to say, um, you know, you've got significant effects locally, the effects should be presented as significant effects, not non-significant. Um, and quite often in landscape and visual impact assessment, we will present that scenario. So you might say yes, significant effects locally, but the whole character area not significant.

01:12:34:05 - 01:12:52:26

Um, in terms of the fens landscape, character area, uh. Having considered all of those visual aspects and the set that has been referred to before,

01:12:54:28 - 01:13:14:20

we do consider that the there will be a certainly a medium magnitude of change, not low locally. Again, it doesn't cover the whole character area, but certainly locally we would say that there is a significant landscape effect on the fence locally.

01:13:19:13 - 01:13:22:02

And then finally the townscape.

01:13:24:20 - 01:13:25:18

Assessment, the.

01:13:26:15 - 01:13:29:04

Eight the with each retail development.

01:13:31:21 - 01:14:02:28

Again, we disagree with the assessment of the low magnitude of change. This is a very highly prominent building and it's going to be at far greater scale and mass volume of virtually every other building in that local area called store aside. But most buildings in that location are quite neatly hidden, if you like, not that far from the site, but this building is quite a dramatic change from from that scale.

01:14:04:03 - 01:14:11:22

So although it's we agree it's not significant, it's certainly, we would say, a greater change than

01:14:13:24 - 01:14:18:03

low magnitude and negligible. We say medium and minor.

01:14:20:27 - 01:14:22:18

And then just to summarize, I

01:14:25:03 - 01:14:27:25

think we're of the opinion that

01:14:29:18 - 01:14:45:28

the views are and the the effects are significant in an arc of the landscape, the open landscape that sort of extend in a range around from Wisbech, Saint Mary and around to the south and the south east around

01:14:47:18 - 01:14:54:21

and in a sort of a five kilometre radius. That would be our summary.

01:14:55:14 - 01:14:59:23

Thank you. Just going back, if we may, to the.

01:15:04:02 - 01:15:40:27

Just go back. If we made to the applicants comments on written reps and on page 19, Section 3.4. Um, there's effectively a summary of the assessment, the very bottom 4 or 5 lines on page 19. The assessment concluded that whilst there would be some significant visual effects, these would be restricted to some individual properties and localised parts of several recreational routes and highways.

01:15:41:10 - 01:15:49:17

Um, that's the applicants, as it were. General summary. What do you say to that? Do you agree with that?

01:15:49:27 - 01:16:07:23

I mean, certainly there are significant effects from properties and parts of the recreational routes and highways. Um, that's without question. We say that there are more significant effects. Those that I've been through, um, and.

01:16:10:06 - 01:16:25:16

In addition to that, we also acknowledge that as the TVs show and as the site work shows, there are many, many viewpoints and locations from where there will be effects, both significant and non-significant.

01:16:27:12 - 01:16:37:13

Thank you. And just to add to that, can you go, please, to page 22? In the applicants comments?

01:16:42:00 - 01:16:42:15

Um.

01:16:43:17 - 01:17:14:27

Section 3.7, where there's discussion effectively, as it were, of the edge of settlement nature of the proposed development and the relationship with existing development, in particular the cold store. Um, and it suggested that the council's view there is no nearby infrastructure which is anything remotely approaching the visual impact of the proposed scheme.

01:17:14:29 - 01:17:34:09

That's the assertion that the Council's made and the applicants seek to disagree with that. What do you say to that general suggestion that the. Existing infrastructure, particularly the cold store, is in some way equivalent or capable of masking what this development.

01:17:34:18 - 01:17:47:21

The cold store is, is one of the larger buildings in the location at the moment. I mean, that's that's that's obvious. But certainly this particular proposal, the building

01:17:49:06 - 01:18:20:16

far exceeds that mean it's almost double in height. It's absolutely enormous. And you know, it's got the chimneys on top. It will have the plume as well, potentially. So the the visibility and the potential for effects is much, much greater. And as I said earlier, the even the cold store in a number of locations is softened by existing vegetation even as a reasonably big building.

01:18:21:27 - 01:18:31:00

Many of the other structures that you find in the area are completely lost in small amounts of vegetation. So

01:18:32:16 - 01:18:34:11

it doesn't always feel like it's a

01:18:36:07 - 01:18:45:21

complete area full of infrastructure, particularly when you're in the southern part of the landscape as well. Not too far from the site.

01:18:48:15 - 01:19:16:29

Thank you. And there's just one final point leaving to one side, because we'll come back to this. No doubt the effect on particular residential property. Ten Newbridge Lane. I'd just like to look back to page 21, please, of the applicants comments and just want your your view on the way the applicants have used the A47 as a sort of boundary marker in their assessments.

01:19:18:00 - 01:19:18:15

Yeah.

01:19:18:17 - 01:19:52:29

Mean it feels to us that the A47 has almost been used as a sort of a boundary. And naturally because almost because the development is, is if you like, framed or contained by the a47, whatever happens to the south doesn't matter. Um, and there's a sort of less importance, if you like, but actually think the a47 is just, you know, it's a, it's a road, but it's low lying. And regardless of if it's presents, if you like,

01:19:55:17 - 01:20:01:21

it's pretty evident think that that, you know, even as the applicant has identified, there are significant.

01:20:01:23 - 01:20:02:11

Effects.

01:20:03:13 - 01:20:12:18

To the south way beyond the a47. I think given that there are lots of effects to the south and we feel that

01:20:14:05 - 01:20:22:28

the significant landscape effects do extend beyond the a47 and certainly into the the wider areas, but within five kilometres.

01:20:24:26 - 01:20:58:28

Thank you very much, ma'am. That's all I want. Wanted to draw from Mr. Flashman, but say, other than the effects on ten Newbridge Lane, which we're going to come to, I think, if I may just add, ma'am, you asked about the the the effectively the planning balance type issues and the extent to which the benefits might or might not outweigh the the harm that's caused. Obviously, that's a fairly overarching and broad question, which I'm not going to try and make submissions about in any detail.

01:20:59:00 - 01:21:14:02

But there were just two points of national policy I wanted to draw to your attention, both from one the the first is paragraph 5.9. 15.

01:21:16:17 - 01:21:48:02

And that's in the section dealing with landscape and visual impacts in other areas, i.e. outside nationally designated areas. And you'll recall Mr. Carney made the point that this was not a site which affected nationally designated areas, but 5.9. 15 indicates that there will often be visibility within many miles of the proposed infrastructure. That's clearly the case here.

01:21:48:07 - 01:22:28:13

But it then goes on to say the IPC examining authority now should judge whether any adverse impacts on the landscape would be so damaging that it is that it is not offset by the benefits, including need of the project? And just make the simple point there that national policy clearly contemplates that there will be circumstances even outside, nationally designated areas where the visual and landscape impact will be so damaging that it is not outweighed by the benefits.

01:22:28:23 - 01:22:51:12

And we would say, although I'm not going to waste time developing detailed submissions on the point that this is clearly exactly one of those types of schemes, given the nature of the topography and the visibility of this scheme. So that's my first point of reference. And my second is simply again, to refer to 5.9. 19.

01:22:53:23 - 01:23:32:28

Which suggests that it may be helpful for applicants to draw attention to any examples of existing permitted infrastructure they are aware of, with a similar magnitude of impact on sensitive receptors, and that that may assist the examining authority in judging the weight it should give to the assessed visual impacts of the proposed development. And what we would suggest is that there really aren't any examples of existing permitted infrastructure that have a similar magnitude of impacts.

01:23:33:00 - 01:24:18:16

We've heard about the cold store, which is not is not infrastructure per se. We've also, I think, had discussion from Mr. Furby. He mentioned wind farms and pylons. Again, we would say that they are clearly not anything like a similar magnitude of impact. And therefore we say that the fact that this will be a piece of infrastructure with a particular and unique magnitude of impact on this landscape

and visual environment suggests that pursuant to this passage of guidance, that you can place greater weight on those impacts because they are, as they were, unique and different from anything else that's around.

01:24:18:18 - 01:24:38:00

So those are the two points I wanted to make on the planning balance type issues. So I'm not going to go through all the rest of it in detail, So I hope that's been a helpful summary and introduction to the particular parts of the landscape and visual case which are still at dispute.

01:24:38:25 - 01:24:46:29

Thank you both for that. I would like now to give the applicant an opportunity to respond because we have gone through a lot of issues there.

01:24:53:18 - 01:25:19:12

Clear of the applicant. And before Mr. Ferber responds to the various comments made in relation to the assessment, Mr. Marks is just going to correct some of the information that was given to the examining authority in relation to the heights of the proposed development and how it compares to the height of the existing cold store. So I'll just hand over to Mr. Marks to give some clarification on that point. Thank you.

01:25:21:03 - 01:25:51:22

Thank you. Two marks for the applicant. Justin Yes. Concerning the the cold store and the reference to almost twice the height of the proposed energy from energy from waste, combined heat and power facility building. I'd just like to correct the point that the the maximum height of the proposals are set out in schedule 14 of the draft development consent order. And there there is a table which sets out the maximum and minimum design parameters.

01:25:51:24 - 01:26:24:12

You will see in the schedule that the boiler house, which is one element of the buildings, is up to a maximum height of 52m. However, if you are to read the rest of the schedule there, you will also note there are elements that are lower than the cold store, such as the tipping hall, which is 18.5m. So it is yes to say that the whole of the facility building is about twice the height of the cold store would be incorrect reference.

01:26:25:12 - 01:26:26:00

Thank you.

01:26:30:27 - 01:26:33:21

Thank you for that. If you can, please continue.

01:26:37:20 - 01:26:49:09

Sorry, too much for the applicant. So just to mention the height of the cold store being 33m and this is referenced in the description of development as section 3.3.10.

01:26:52:09 - 01:26:53:12

That's chapter three.

01:26:53:14 - 01:26:53:29

Thank you.

01:26:54:09 - 01:26:54:27

Thank you.

01:26:59:09 - 01:27:29:27

A little further for the applicant. So just to respond to some of the landscape points that were raised. Firstly, in terms of creation, potential was drawn by Mr. Flatten to the fact that the site is very constrained. I don't think that causes particular concern. Um, although there is a net loss of tree cover on the site, it was agreed that um, the landscape features could be scoped out of the assessment with pens because they are of limited quality.

01:27:29:29 - 01:28:07:22

And the tree survey identifies them as mostly poor, sometimes moderate quality. So the loss of that vegetation doesn't cause any concern in terms and even if an area was available for more tree planting as previously discussed, that wouldn't have any impact on screening views from some of the wider locations because the height of mature trees wouldn't reach the height where it's going to screen the upper upper parts of the building and the stacks. So the fact that there isn't a larger site doesn't doesn't cause any particular concerns with with with mitigation.

01:28:07:24 - 01:28:45:00

What I would point out, however, is that views from Newbridge Lane. Um for for footpath users on the improved route and to the south of development when the hedgerow and tree planting goes up as part of mitigation scheme. Obviously that would restrict views to a certain degree particularly and the lower and mid levels of the building and associated areas. So there is mitigation that will have an impact um between year one and year 15, and that's not necessarily captured in all of the viewpoint assessments that have been carried out.

01:28:46:03 - 01:29:04:26

Um, a quick comment on the collation of effects. The first point is this misconception of the Z somehow indicating magnitude as is a is a zone of theoretical visibility. Now,

01:29:08:00 - 01:29:43:12

referring to a huge amount of coloration and trying to sort of conflate that with impact is, is is wrong. It's not giving an accurate impression, which is why you need to read the Z TVs in conjunction with the visualisations. And as as acknowledged by Mr. Fatman, there are locations where. The proposals would be fully or partially screened by intervening tree cover, including some of the viewpoint locations that they suggested that we that we undertake.

01:29:44:06 - 01:30:21:14

So I think we'd need to remember that this is only a it's a fairly crude tool that will be used to sort of help identify locations where there might be potentially an effect. What it doesn't include is it doesn't include, um, hedgerows and tree cover. Um, because the LiDAR data that trees pick up, they don't hit the tops of trees. They only sort of cover sort of large areas of sort of coniferous woodland or um, buildings, large areas of buildings.

01:30:21:16 - 01:30:24:06

So we need to be careful in

01:30:26:10 - 01:31:06:05

putting too much emphasis on the Z TVs. Um, you certainly don't, as Mr. Flashman said, always experience the development. I mean, that's the clearly highly inaccurate statement. Just like to turn also to, um, the specific receptors where the council claim that we've either missed receptors or we've under assessed them. Now, this is in the context of nearly four years of consultation and full agreement on the receptors that were included in the and the point locations.

01:31:06:07 - 01:31:40:10

So this come as some somewhat of a surprise to say the least. However, I've undertaken additional field work just to remind myself of the effects that we've recorded in detail in the appendices to the environmental statement. And I think it's worth noting that in all cases the Council referred to conclude within the environmental statement and don't engage with any of the detailed analysis that is set out in the visual receptor appendices.

01:31:40:25 - 01:31:57:12

And I'll draw attention to that um, briefly, but obviously in a bit more detail in written submissions. So I think first first comment is in relation to Wisbech Saint Mary.

01:31:59:00 - 01:32:22:22

And they're criticizing the location of a viewpoint that had already been agreed. Um, and suggesting that if it was taken at a different location along Beaver Lane, that somehow the tree planting adjacent to the carriageway wouldn't screen views to the proposed development. Well, we've looked at this in some detail and note that that viewpoint, um, was taken.

01:32:24:25 - 01:32:58:22

To be sort of representative of views from scattered dwellings outside the main settlement from the main settlement of Wisbech and Mary. As you will experience from reviewing the field, it's surrounded by extensive planting. There's going to be very limited opportunities for views. And the reason why we chose the viewpoint along Bevis Lane was to show some indication of some visibility from scattered properties. If you take the viewpoint further north, it's going to be even more screened because tree planting actually occurs along Beavis Lane itself.

01:32:58:26 - 01:33:36:24

If you take it further to the south, you're further away from the village and you're not representative of views. So it's very odd that having agreed with the viewpoint location some two years ago, we're now in, in, in the sort of scenario where that's been debated. And also debated to the degree that the effects that are being claimed only at a moderate level and those are being claimed as being significant, but without any you know, just as an assertion, without any analysis of the view, without any sort of professional judgment, which is what Olivia three is calling for.

01:33:37:00 - 01:33:45:01

So we see these as just sort of. Um, unsubstantiated claims of significant effects.

01:33:49:13 - 01:34:01:29

In terms of the minor roads which are located east of Friday, Bridge and Elm. The council identified Needham Bank, Barr Drive, Kirkham Lane, Gosnell Lane.

01:34:03:26 - 01:34:38:29

None of these routes have designated public or recreational users. They're not nationally or regionally promoted routes. They don't accommodate public rights of way. They typically have a narrow grass verge between the surface carriageway and the agricultural land. And in places, tree planting lies close to the carriageway and it's been trimmed back. So the council was set without any evidence that people using these routes, presumably road users with a medium sensitivity, could experience a medium magnitude change.

01:34:39:19 - 01:35:20:04

There's no evidence that that would be the case. Um, and in fact, only one of the routes could have any role in connecting people that live in Friday's bridge with the wider public rights of way network. So the idea that, um, people on these roads would walk from those to the right, the way network network is, is factually incorrect. It's only a small lane that connects with the wider public, right?

Sorry, It's only our gospel lane that connects with the wider public rights of way network and open countryside, however.

01:35:21:09 - 01:35:51:12

Notwithstanding the observation. A more convenient and safer access to the public footpath that connects Elm and College Bridge. Would be available from the B 1101 that passes through the center of the village and has surfaced Footways. So if people are choosing to walk in the middle of a road or alongside a grass verge on a longer route to get to the public rights of way, that would be quite an odd situation.

01:35:54:14 - 01:36:26:00

So. There seems to be no disagreement from the council that the magnitude of change that's being recorded at the much closer viewpoints, which are viewpoints eight and nine where we have montage evidence demonstrates. Um, no screening for men. To me, intervening settlements and a medium magnitude of change. So it's very strange that. At that distance, more than twice the distance away.

01:36:26:02 - 01:36:30:18

They're still claiming the same magnitude of change and would like to draw.

01:36:33:04 - 01:36:53:27

The inspector's attention or the examiners attention to Viewpoint nine Photo Montage. I don't know if we have the ability. I'm not going to ask for lots of material to be shared, but I'm not sure if the inspector has the ability to share that particular photo montage.

01:36:54:24 - 01:36:58:24

Do you have the document reference and page number for that?

01:36:59:08 - 01:37:04:03

Yeah, it's, um, it's app 59.

01:37:08:05 - 01:37:10:15

Figure 9.25.

01:37:13:29 - 01:37:15:29

Do you know what page that's on, Mr. Furber.

01:37:16:28 - 01:37:28:25

I'm sorry, I don't I'm looking at a hard copy, but I think there were only a limited number in there. It's if it's to to help you,

01:37:30:21 - 01:37:37:07

ma'am, if you just look for the solar panels in the view. Okay. On the photo, that is viewpoint nine.

01:37:39:07 - 01:37:40:02

Oh, is it?

01:37:40:27 - 01:37:41:27

Is it the first one?

01:37:44:21 - 01:37:54:18

Mrs.. My apologies. I think I have the document with me. Mrs. Mason, if you would like me to share that, if that's going to be helpful. Please.

01:37:54:20 - 01:37:59:18

If you have that in front of you. Yes. It's just loading up on my screen now, but that would be really helpful.

01:38:00:06 - 01:38:02:26

I will try and share that now. Thank you. Thank you.

01:38:18:01 - 01:38:19:13

Thank you, Mr. Pinto.

01:38:21:05 - 01:38:36:14

Yeah, that's. That's quite helpful. Hopefully people can see the difference between the existing view at the top with the cold store. It near the center of the view or just to the left of center. And then the proposed view, which has the

01:38:38:16 - 01:39:09:27

just to the left hand side with the stacks. And I think the two points to note here is that this location is about a kilometer and a half from the from from the site. The the the minor roads that we're talking about at Friday Bridge are more than twice that distance away from the site. However, they're in the similar visual direction. The site, the line of sight is in a similar direction.

01:39:09:29 - 01:39:40:11

So effectively, whilst you obviously wouldn't see the solar farm at that distance because there would be intervening vegetation, you'd get some views potentially towards the top of the cold store. But the relationship that you would perceive because the proposals are set back further away from you than the cold store, the scale of the proposed development doesn't appear to be certainly doesn't appear as a council claim to to a significant level.

01:39:40:14 - 01:40:10:09

Mean we assess at this location that it's significant but it's on the cusp of being significant even at this location because of the relationship to the cold store. But if you set that back double the distance with intervening vegetation and glimpses, there's just no you know, there's no opportunity for it to be even considered to be significant, which is why we're sort of surprised that it's being raised, that this is that at this late stage as a as an issue.

01:40:12:24 - 01:40:22:15

And I just ask at this stage, Mr. Fur, but if can while we've got this on the screen, just invite if the councils would like to respond on this matter.

01:40:29:27 - 01:40:32:09

Yes. I'll ask Mr. Flashman to respond.

01:40:32:16 - 01:40:33:04

Thank you.

01:40:33:18 - 01:40:37:10

There were there were some other points in what's been said that we would respond to in.

01:40:37:12 - 01:40:43:20

Yes. Could come back to you. I will come back to you on that. But just once we had this on the screen, I think it's useful.

01:40:44:10 - 01:40:44:25

Yeah.

01:40:44:27 - 01:41:15:09

Thank you. So as Mr. Fergus just said, he's identified significant effects from this location, which is he's saying, yes, one kilometre. But the viewpoint is. Is not far off. Directly south, not far off south of the post scheme, the all the roads and lanes and drove connections I'm referred to are in a completely different direction to what he's just said. They are south east.

01:41:16:09 - 01:41:18:07

They're not in the same alignment at all.

01:41:25:23 - 01:41:30:00

The applicant liked to respond. Is that is that the rest of your comments, Mr. Flashman?

01:41:32:12 - 01:41:34:28

That's the comment on that particular point.

01:41:35:00 - 01:41:35:15

Okay.

01:41:35:28 - 01:41:38:04

But I do have more on on. Okay.

01:41:38:21 - 01:41:42:21

No problem. I'll come back to you shortly and go back to the applicant, please.

01:41:44:24 - 01:41:55:17

Neil Furber for the applicant. Could we draw attention to figure 9.14 I which shows the viewpoint locations.

01:42:02:29 - 01:42:04:21

Are you able to show that, Mr. Pinto?

01:42:10:05 - 01:42:11:09

Thank you, Mrs. Makinson.

01:42:12:02 - 01:42:14:03

Wouldn't three apologies?

01:42:14:06 - 01:42:19:05

Yes. I was going to ask for the reference of the of the document at 53.

01:42:20:00 - 01:42:21:05

That's right, sir.

01:42:22:06 - 01:42:24:16

And could you also confirm the page, please?

01:42:27:18 - 01:42:29:09

It's the last page.

01:42:31:10 - 01:42:35:06

So it's got page 21 of the PDF.

01:42:36:20 - 01:42:44:00

21. Okay. I will try and see if I can share that to assist you, Mr. Makinson.

01:42:47:08 - 01:42:53:17

I think have it up on my screen now so I can try. If you want to stop sharing your screen, I can try and share mine.

01:43:00:09 - 01:43:01:14

And you say that everyone.

01:43:03:17 - 01:43:08:08

Think if it was zoom zoomed in slightly, if that's possible.

01:43:16:23 - 01:43:17:20

Does that help?

01:43:18:11 - 01:44:03:21

Yes, that's that's that's fine. So think you can see where, um, if you look where view points, where the, where the order limits are identifying the size. And that you trace a line sort of broadly that goes to viewpoint one and then viewpoint nine. Then that coincides roughly with Friday Bridge. Some of these roads are marginal. Some of them connect to Friday bridge and a slightly to a marginally to the east. Um, I mean you can take another view from viewpoint eight that's much closer and it shows a similar relationship in the sense that, um, there's a close relationship between the cold store and the proposed development that's set behind.

01:44:05:26 - 01:44:37:18

So thinking without wanting to jump around and spend too much time at this juncture, I would like to draw the inspectors attention also to maybe look at viewpoint eight, which is figure 9.24 B, which will cover the full arc. So between 9 and 8, that covers the visual direction from those minor roads. And you can see that the in both of the montage is at view point eight and nine.

01:44:38:03 - 01:44:45:21

The proposed development sits behind the cold store occupies a smaller horizontal extent

01:44:47:09 - 01:45:19:16

the majority of the built components because they're set further back, further away from the viewpoint that they're actually lower than the store due to perspective. And it's only the stack which appears lower than a pile than the pylons, than the pylons in the middle ground that would be that we visible. So we clearly say that at these locations, you know, one to 1.5km to the south and southeast from the edge of Alma and back.

01:45:19:18 - 01:45:38:18

Dale, we say that obviously those would be significant, but from a location that this over three in cases four kilometers distant, there's there's no no sensible conclusion that can be reached that affects at that range would be significant.

01:45:44:07 - 01:45:48:26

Thank you for that. Would you like to continue in your response?

01:45:49:09 - 01:45:52:23

Yes, Thank you. So think that.

01:45:54:14 - 01:46:04:13

Some of the descriptions that were. Were given by Mr. Chapman of the coat store as being absolutely enormous.

01:46:06:09 - 01:46:50:00

It is not the professional language that we would use in landscape and visual assessment. You have to look very carefully at the relationship of the proposal, both in terms of its massing and how much of the view that it occupies. Um, how the cladding, although it's only a draft design and subject to agreement in terms of colours, how that's being a scheme to be adopted, to try and break up the massing of the development and also the contextual relationship to other buildings, not just the cold store, but the relatively sort of simple characteristics of the landscape that are in that view.

01:46:50:02 - 01:47:31:09

And what are people looking at when they're looking in this direction? They're looking already looking towards an industrial estate on the edge of Wisbech. So it's about expectations of, of viewers. Um, and what, what the context of the view is, which obviously is part of our environmental statement. The assessment of each viewpoint is set out very clearly and those notes haven't been contested by the council. So this is why we're somewhat surprised to have these very late, uh, sort of disagreements or additional viewpoints that are being and receptors that are being introduced and certainly have.

01:47:32:21 - 01:47:35:04

A strong objection to the description that

01:47:36:24 - 01:48:11:00

that it's somehow unique impact in the landscape because the. The whole design of the development in terms of the coloring has taken has made reference to the existing warehousing, not just the coastal, but the other developments in the locality. Um, it's certainly not unique. The design, um, the introduction of the stacks. Again, stacks are not unique in the landscape. There's a stack at Lamb Weston, albeit that it's shorter.

01:48:11:27 - 01:48:30:22

Um, but there are other vertical features as we've already alluded to, in terms of pylons and wind turbines that are much taller. So to, to somehow imply that this is a unique visual impact or a unique building is, is is completely wrong.

01:48:41:18 - 01:48:58:01

And I think the final point about the A47 being a landscape feature. I think what the council are doing is they're confusing landscape and and visual impacts or conflating the two.

01:49:00:26 - 01:49:24:09

In terms of landscape character, what we're talking about is the pattern of development and features that are perceived in the landscape. Visual perception is one of those aspects. But when you're beyond the a47, which has been identified independently as a significant landscape feature as recorded in the written representations.

01:49:25:15 - 01:49:26:05

That's.

01:49:26:20 - 01:49:46:01

You do feel that you're away from Wisbech and it's a different character area. So we we can test or always support um, the conclusion or the material supports the conclusion that um, those effects would be would be localised. And.

01:49:47:17 - 01:49:48:06

Olivia.

01:49:49:11 - 01:50:34:24

Three. Is quite clear on how landscape effects should be assessed. And don't want to spend too much time on this, but it will be a submission in writing. But it would like to very briefly sort of draw attention to how landscape effects should be assessed and can supply sort of references to that in writing. But basically the council of requesting us to alter the conclusions on the impact on the set of fine to be moderate, significant, and that just wouldn't comply with the approach in best practice guidance.

01:50:35:09 - 01:51:06:09

Because what that asks for is for you to assess the geographical area over which landscape effects will be felt and described and English at paragraph 550. It indicates that there are four scales that you need to assess attack. The first is at a site level, which we've done. Um, the second is the immediate setting of the site. Which again we've done and we define that the immediate setting is being up to the a47.

01:51:08:14 - 01:51:25:11

Um, and the third the third geographical extent is the scale of, of the landscape character area within which the proposal lies. And the fourth one which doesn't apply in this case, is on a larger scale influencing several landscape character areas.

01:51:27:17 - 01:51:42:03

So we claim that the conclusion that the council said that the magnitude would be medium on the whole landscape, character area just doesn't there's just no evidence for for that conclusion.

01:51:44:21 - 01:51:45:06

It's just an.

01:51:45:08 - 01:51:46:02

Assertion.

01:51:49:08 - 01:51:57:25

And the evidence we do have in terms of indirect effects on wider landscape character can be. Can be.

01:51:59:17 - 01:52:06:26

Can be looked or can be referred to with reference to viewpoints. 18 2223.

01:52:08:14 - 01:52:34:14

25 and 30, which are all located within the fence landscaped character area. And those montages illustrate how there would be a very limited indirect effect as a result of the visibility of the of the proposal. But that's not to confuse it with visual impact, but it's going to be a very minor component in the landscape as perceived from those locations.

01:52:36:11 - 01:53:07:06

So draw attention to our appendix nine G. Which is at App 79. No need to bring that up now. But we conclude that the magnitude of landscape change would be moderate in a tiny part of the west of Bedale. But across the vast majority of the fens LCA, its character and key characteristics would largely remain unchanged, with magnitudes of change varying from low to no change.

01:53:07:11 - 01:53:14:17

And the overall overall result would be a low magnitude of change across the fence. LCA That wouldn't be significant.

01:53:17:29 - 01:53:23:27

And then think very briefly in relation to eight, which is the Townscape character

01:53:25:15 - 01:53:37:02

area that the sites are actually located in. Um. There is no disagreement between ourselves and the council. The proposed development would wouldn't be significant.

01:53:38:20 - 01:53:39:05

Um.

01:53:39:29 - 01:53:54:06

I think that's the key. The key point. Um, whether there's a disagreement, whether it's, you know, the, um, negligible or minor makes little difference. The key conclusion is that it's not significant. Um.

01:53:55:21 - 01:53:57:10

We also note that.

01:53:59:09 - 01:54:33:22

The council appeared to suggest that cladding wouldn't have any role in partly reducing the contrast of scale with existing buildings. I mean, that's that's clearly wrong. Think there possibly a misinterpretation that we were claiming that the cladding design would eliminate significant effects. That was never the claim. The reporting was that clearly by using a contrasting cladding design with maybe darker colors towards the base of the building and lighter colors and bands of colour could

01:54:35:12 - 01:54:54:11

assist in partially breaking up the build volume. And that's seen in many sort of large scale buildings, not just the but similar sort of warehouse buildings across the country. So it is an established mitigation technique to partially reduce the perceived scale.

01:54:59:01 - 01:54:59:23

And then.

01:55:01:12 - 01:55:41:04

So in terms of summary. The council. So moderate effects would be significant. However, this assertion is made without clear and accessible explanation as to why they consider the magnitude. Magnitude of change would be different in places to the assessment that we set out in the environmental statement. So the lack of narrative text from the council, including clear judgments made about significance, are lacking and that doesn't comply with paragraphs 3.35 to 3.363, which will provide in in the written submission.

01:55:42:06 - 01:55:42:21

Um.

01:55:43:01 - 01:56:13:02

And that states there should should not be an overreliance on matrices or tabular summaries of effects. The council in response only referred to summary tables in the and not the detailed assessment contained in the appendices. Consequently, it's unclear whether they've even read the detailed

assessment. So we conclude that they've failed to clearly distinguish between the effects that are likely to influence the eventual decision and those of lesser concern.

01:56:18:27 - 01:56:19:15

Thank you.

01:56:20:09 - 01:56:45:13

Thank you, Mr. Furber, for that. Um, I'm just conscious of the time and that we said we would have a break at 1130. Um, I would like to give the councils an opportunity to respond to the comments made. However, I do feel at the moment that it may be an opportune time to have a break and what would then do so I would suggest a 30 minute break if people are happy with that.

01:56:45:20 - 01:56:46:11

I'm not.

01:56:47:04 - 01:56:48:19

Sorry. I'm sorry.

01:56:48:28 - 01:56:58:03

I would come back after the 30 minutes. We can finish off with the council's response and then we can move on to Newbridge Lane. Mr. Fraser Urquhart.

01:56:58:06 - 01:56:58:21

Was just going.

01:56:58:23 - 01:57:01:17

To suggest, because I don't think Mr. Fleming's got got very much and.

01:57:01:19 - 01:57:02:19

Obviously okay.

01:57:03:00 - 01:57:16:15

The opportunity in writing, in responding to the, the records of oral submissions. It just might be more convenient to take him now and then we can close this topic and move on to Newbridge Lane.

01:57:16:23 - 01:57:43:06

That's fine. I was under the impression, apologies that you did have more of a significant contribution to make at this stage, so didn't want to delay the break too much more. But if it is just a brief summary and we can deal with anything outstanding in writing to do with what's been discussed so far, then I'm happy to take, you know, if you could cover that briefly now and then we can do that. It's not a problem. Yes, I think we'd like to.

01:57:43:08 - 01:57:43:28

Do that now.

01:57:44:12 - 01:57:45:13

He's just got a few.

01:57:45:15 - 01:57:46:29

General points and then the detail.

01:57:47:01 - 01:57:47:16

Okay.

01:57:47:18 - 01:57:49:23

We'll say we can save for writing. Mark.

01:57:50:00 - 01:57:50:18

Thank you.

01:57:51:04 - 01:58:25:19

Thank you. Thank you, ma'am. Um, yeah, I mean, just a couple of points really. Was, was Mr. Furber, you know, appreciate, um, you know, professionals have different judgements on things and think where we're at is that, you know, a lot of the assessment reads as it is, there are significant effects. Those have been identified and I think we're talking about differences in judgment here, which is quite usual between landscape professionals. Um, I, I don't misunderstand the use of Z TVs at all. I mean, I'm fully aware of what they are, what they used for, what the coverage is, how they work.

01:58:25:25 - 01:58:29:20

And obviously Z gives you an indication of

01:58:31:24 - 01:59:06:09

the impact, but actually being on site and seeing it for yourself is, is the way to see things. Um, and you know, appreciate that all the viewpoints were agreed and everything that's not, not in dispute at all, but it's just that we have different, um, judgements on the magnitude of change from some of the receptors locally. Um, and then finally, um, think in terms of whether or not you assess the whole of the landscape character area or part of the landscape character area.

01:59:06:11 - 01:59:18:07

I didn't say that there's significant effects across the whole of the character area. I said it was a small part of that character area within the five kilometres. I made that quite clear. That's that's that's all I've got to say.

01:59:20:21 - 01:59:22:22

Thank you, ma'am. That's, that's. I hope it's.

01:59:22:24 - 01:59:23:09

Useful.

01:59:23:24 - 01:59:25:15

Hope it's convenient to wrap that up now.

01:59:26:15 - 01:59:50:22

No problem. Thank you, everybody, for your contributions so far. It's now it's 1159. So I would suggest we take a 30 minute break if everyone's happy with that, and we will resume at 1230. So if everyone can come back for 1230, please, where we'll resume the remainder of this agenda item. Thank you.