



Hearing Transcript

Project:	Five Estuaries Offshore Wind Farm
Hearing:	Issue Specific Hearing 3 (ISH3) - Part 6
Date:	30 October 2024

Please note: This document is intended to assist Interested Parties.

It is not a verbatim text of what was said at the above hearing. The content was produced using artificial intelligence voice to text software. It may, therefore, include errors and should be assumed to be unedited.

The video recording published on the Planning Inspectorate project page is the primary record of the hearing.

Simon Says

Transcript Export

<https://www.simonsaysai.com>

My New Project

Created on: 2024-10-30 13:01:25

Project Length: 01:17:14

Account Holder: Ryan Ross

File Name: Five Estuaries_ISH3_OCT30_PT6.mp3

File Length: 01:17:14

FULL TRANSCRIPT (with timecode)

00:00:07:12 - 00:00:22:15

Okay. Welcome back everyone. It's 1140 in time to resume the hearing. And we're moving on to effects for landscape visual and seascape. Um, so before we, um, proceed, Mr. Boswell, did you want to introduce any new members of your team?

00:00:27:17 - 00:00:31:19

Julian Boswell for the applicant. Yes. Um, some new members to my right.

00:00:34:13 - 00:00:43:16

Yeah. Good morning. Um, Mr. Simon Martin speaking on seascape and visual matters for the applicant. So that's agenda items A, B and F. Thank you.

00:00:47:01 - 00:00:52:12

Good morning, Jill Phillips on behalf of the applicant speaking on Elvia matters. Thank you.

00:00:57:14 - 00:01:02:10

Hello, Jess Colebrook, on behalf of the applicant here in the event there are any ecological matters.

00:01:04:21 - 00:01:10:14

Mike Browser here with the applicant speaking on behalf or in relation to EIA. Thank you.

00:01:13:29 - 00:01:29:24

Thank you. Um, before we go further, um, Mr. Woods, you had a statement from or some notes from your colleague. Did you want to start with those or do you want to just come in as and when you feel that they're relevant?

00:01:30:11 - 00:01:37:09

Thank you ma'am. Good morning, Mark wood. Essex County Council. I'd prefer if we just took the agenda as it is. And if there's anything to add in those matters, I'll. I'll raise them then.

00:01:37:11 - 00:01:39:12

Thank you. Lovely. Thank you very much.

00:01:41:21 - 00:02:14:27

Um, so to begin with then, um, my first question is one that we've sort of visited with in the other topics and, um, I've heard what's been said. So it's on a non or without prejudice basis, but given that we've considered it for the other areas. I just wondered whether there were any views on, um, seascape effects associated with wind turbine arrays of either 41 large or 79 smaller wind turbines, obviously appreciating that there may be some variation within that range.

00:02:15:02 - 00:02:19:22

Um, if I start with the applicant on that, please. Thank you.

00:02:21:27 - 00:02:54:00

Yeah. Simon Martin for the applicant. Um, so yeah, there was some discussion yesterday on this, I think in terms of the, the final design of the project, which would be confirmed through engineering design studies, post consent. And so the project may have between 41 and 79 turbines with heights between 3 to 4 and three 70m. Um, in order to provide a robust and sort of precautionary assessment for the severe uh, we assess the maximum height wind turbine in our assessment.

00:02:54:15 - 00:03:07:29

Um, that's in line with, uh, As a common idea practice in relation to the Rochdale envelope approach. To ensure that we've assessed the the maximum environmental effects of of the development. Um.

00:03:10:01 - 00:03:52:00

I think that that worst case scenario has been agreed with, um, the interested parties, the, you know, it's primarily the worst case due to the the larger apparent scale of the of the wind turbines and, um, their visibility and wider extent to the z DV. Um, so that was clear in our assessment that, um, that was the worst case in terms of our, our assessment, the, the effects of the 79, um, indicative smaller wind turbine layout scenario, um, are likely, we think, to be of slightly lower magnitude than, than the worst case assessed for the for the maximum flight option.

00:03:52:22 - 00:04:22:02

Um, but the difference is, Differences, I would say relatively subtle, um, in terms of the, the impacts assessed and is actually it's unlikely to to change any of the, um, impact assessment thresholds assessed in the, in the SLV chapter. Um, those effects have already been assessed as being of low magnitude and and not significant in EIA terms. And that's been agreed largely with the interested parties.

00:04:30:05 - 00:04:34:20

Thank you. That's helpful. Um, Mr. Wood, do you want to come in on that?

00:04:34:22 - 00:04:59:18

Thank you. Ma'am, I was just going to cancel. Um, we similarly agree with the applicant's point that we don't think that, um, the difference, um, between the larger or smaller turbines will have a significant effect on Essex, Tendring or Babergh either way, due to the distances involved. Um. From the array. Obviously. From. From shore. Thank you.

00:05:01:06 - 00:05:04:18

Thank you. Mr. Bedford, did you want to come in on that?

00:05:04:28 - 00:05:41:07

Thank you, Madam Michael Bedford, Suffolk County council. Uh, I think we take a slightly different, uh, view, uh, on that. Um, in part because of the relationship with what we will discuss in agenda item

F in relation to this statutory, uh, duty. Um, but if I can deal with it, um, in stages. Um, it's important, I think, to note, uh, that so far as the, um.

00:05:43:13 - 00:06:01:01

Seascape, uh, landscape visual assessment is concerned of the the taller wind turbine, uh, generators. they have been assessed on the basis that there would be no more than 41 such turbines.

00:06:04:29 - 00:06:10:21

There could be less, but it's been assessed showing the effect of 41.

00:06:13:10 - 00:07:05:27

And it's therefore important to ensure that that upper parameter is secured in the development consent order or a control document. See the detail of that is perhaps in part going to be a matter for tomorrow's, uh, discussion at ish. Uh, for. It's also right to note that there has been some informal dialogue between the applicant and Suffolk County Council on this issue, and that has been Productive, where I think awaiting some further information from the applicant, particularly how they affect the sweat path of the rotor area, impacts on the ability to have a particular number of turbines.

00:07:05:29 - 00:07:36:18

Depending on the the height of the turbines, we think it would be helpful to the examining authority to allow that informal dialogue to carry on, because it will hopefully, uh, lead to, uh, a either a common position being reached or at least a very narrow area of disagreement. But rather than rehearsing that at this stage, we think that it's probably better to allow that dialogue, uh, to, uh, progress.

00:07:36:27 - 00:08:15:09

Um, so, uh, I simply make that as an introductory, uh, point. But it obviously it is important to be clear as to that. Um, our assessment based on the material that has been presented in terms of the the seascape and visual impacts of the different permutations of the arrays. Is that the lesser number of the larger turbines is likely to represent the worst case.

00:08:18:17 - 00:08:26:16

Um, and that therefore should be the outer limits, as it were, uh, of the assessment.

00:08:28:01 - 00:08:43:11

And we are obviously particularly concerned about the impact on the national landscape of the Suffolk Coast and Heaths AoNB. That being obviously within our administrative area.

00:08:45:15 - 00:09:30:12

Uh, as you will have seen from what we said, both in our relevant representations and in our local impact report. Whilst we've assessed that in both of the the main scenarios, that's to say up to, um, 41 larger turbines or up to 79 smaller turbines. Whilst we've assessed that the impacts, uh, would fall below the level of a significant adverse effect in EIA terms, we don't consider that that is sufficient to support a conclusion that either would therefore be acceptable.

00:09:32:13 - 00:09:48:16

And we say that in the context of the national landscape, where we consider that the obligation, uh, in both policy and in legislation is to minimise palm

00:09:50:05 - 00:09:54:13

and to compensate for any residual harm.

00:09:57:01 - 00:10:32:25

We obviously we set out in section seven of our local impact report. That's rep 2046 uh, our full uh comments in relation to that. But we do consider that leaving, uh, both a more harmful and a less harmful option on the table would not, uh, fulfill the objective of minimizing harm and therefore will require a specific justification.

00:10:36:12 - 00:10:46:06

We're not saying, uh, as it were, in a dogmatic sense, that it's not possible for such a justification to be provided.

00:10:48:11 - 00:10:57:11

But we don't consider that in the material that the applicant is thus far provided. There has been an adequate justification.

00:11:02:17 - 00:11:19:20

Even if there is a justification. In any event, we consider that because there will be residual harm. Whichever of those permutations, uh, transpires, that residual harm

00:11:21:06 - 00:11:30:18

will require compensatory measures in order that the applicant and in due course, the Secretary of State.

00:11:33:12 - 00:12:07:03

Are able to satisfy the new positive duty now to be found in section 85 of the Countryside Rights of Way Act, 2000. I know that's slightly slipping into agenda item F. But, uh, that is something that we consider. Um, we note, obviously, that, um, whilst the applicant has responded to the actions in relation to that, it's not responded to our local impact report as yet. And obviously the timetable doesn't require that until we get to deadline three.

00:12:07:23 - 00:12:39:21

However, we would hope that we get some indication of the substantive nature of the applicant's response today, uh, because otherwise there's a risk really, that the issue specific hearings don't actually engage with the issues because everybody's always able to point to, oh, well, there's a deadline coming up where we're going to respond in writing to something. So I'd say we would hope that the issue, if it's to serve the purpose, we might hear something of the applicant's response.

00:12:39:23 - 00:12:50:25

So we can perhaps engage with the the topic. But so those are those are our remarks on item A and the as it were, the difference between the two, uh, permutations.

00:12:53:12 - 00:13:08:01

Thank you, Mr. Bedford. And um, yeah, I agree, it's important that the informal discussions continue. Um, outside of the hearings. Thank you. Um, before I turn back to the applicant, I wonder is Mr. AMP stats online today?

00:13:12:01 - 00:13:18:24

Thank you. Ma'am. Simon, I'm representing the Suffolk and Essex Coast News and National Landscape Partnership.

00:13:21:18 - 00:13:29:01

Thank you. Did you have any views on the first question about the difference between the taller and fewer turbines?

00:13:30:01 - 00:14:07:09

Yeah. Simon Olmsted, national landscape partnership. Um, yeah. A couple of points I'd like to make. Um, firstly, I'd like to align the national landscape partnership with much of what, uh, Mr. Bedford has just said. Um, I would add to that that, um, if we refer to, uh, Natural England's relevant reps RR 081, particularly pages one seven 6 to 1 seven seven, they talk about the purpose of the OMB extending beyond its boundary to include its setting.

00:14:07:16 - 00:15:02:05

And I think we see this these proposals within that setting. Um, and where I think Natural England and I'm not here to speak for Natural England, but within their relevant reps that I previously mentioned, they do, um, disagree with the scheme's proposals that there will be or in Natural England's view, there will be significant impacts, uh, from the offshore proposals. Um, and I think the last point I would, uh, want, want to make here is that, um, the National Landscape Partnership recognizes that, uh, more smaller, uh, turbines are likely to have less of an impact upon the, um, the national landscape, the OMB, than a small amount of larger ones.

00:15:02:07 - 00:15:06:06

But as, uh, uh, Michael Bedford very, um,

00:15:07:27 - 00:15:22:12

uh, put very well, there will still be a residual harm, in our opinion, on the national landscape. And perhaps I won't say anything further until we get to agenda item. Um, f thank you.

00:15:25:01 - 00:15:32:11

Thank you, Mr. Armstead. Um, are there any other interested parties who wish to comment on that before I refer back to the applicant?

00:15:35:25 - 00:15:42:25

Not seeing anyone. Um, so did did you want to come back on any of those points? Stage.

00:16:03:17 - 00:16:50:16

Two limbo for the applicant. Obviously we touched on this at the previous hearings, and I think it was left on the basis that we needed to see wanted to see the full argument that SCC was making. Um, I've obviously heard what Mr. Bedford's just said, but the Lear and all the other deadline two documents only landed midday on Friday. I think our headline position remains that there is there is no harm. The sheer distance involved, we think, demonstrates that we've explained, um, our our case, Um, we obviously see where he's taking it, and I don't want to jump ahead to item F in relation to that, but we have sort of a fundamental difference between us in relation to that.

00:16:51:00 - 00:17:14:02

Um, and yes, uh, we are providing some, um, further information in relation to the informal dialogue that he referred to on the, uh, aggregate blade swept area, um, uh, parameter in the DCO and uh, where that's precisely come from and how that's intended to, uh, to operate.

00:17:20:06 - 00:17:29:19

Thank you, Mr. Boswell. Um, if there's nothing further, then on that first question, I'll move on to the effects of the offshore safety lighting. Um,

00:17:31:05 - 00:17:56:21

and I appreciate sort of there's some issues that will be for the later design stages. So do say if you can't expand on anything at this point. But I just wondered whether you could give me some further information on the types of lighting that would be used for the wind turbine generators, whether they're the same as on the existing, um, turbines. Um, and if if not, what the effect would be sort of in visual terms if I start with the applicant, please.

00:18:04:19 - 00:18:40:00

Yeah. Simon Martin, on behalf of the applicant. Um, so, uh, in relation to the question there, in terms of whether they will be the same as the operational lighting on the operational, um, windfarms that you can see at night. I, uh, I believe they would be I believe that they would be operated to the same, um, requirements, which is, uh, under the Air Navigation Order 2016. Um, the DCO, um, effectively ties the applicant To operating the lights under those conditions of the as required under the navigation order.

00:18:40:22 - 00:19:15:04

Um, in terms of the the red aviation lighting at the the nacelle height. Um, maybe come back to that in terms of their effects, there's also a requirement to have lights at the the platform level, which are the marine navigational lights, which are sort of, um, yellowy orange color has are viewed from, from the coast. Um, for, for a marine navigational safety. Um, we don't believe that those lights will be, will be visible from the low lying coastline at such long range due to the Earth curvature and the distance offshore.

00:19:15:19 - 00:20:01:00

Um, there is an assessment in chapter ten at 079 of the year, which um assesses the effects of the, the, the offshore aviation lighting of the turbines. Um, and there are some Probably key points to make there in terms of the embedded mitigation. Um, just in respect of the intensity at which those lights are operated, um, basically through the air navigation order and requirements of that, the lights can be operated at, uh, down to 200 candela in conditions with very good visibility, when there's greater than five kilometres visibility from all, all of the lights in the array.

00:20:01:21 - 00:20:33:04

Um, the combination of that and the, the angle of the intensity of the beam, which is above the, the horizontal, um, means that the, the lighting is at a lower intensity below the horizontal plane, where it would be viewed from the coast. Um, so there's some embedded mitigation in terms of how, yeah, how they would affect views and visual receptors at night, and certainly some similarities in terms of, um, how they are viewed from some, some of the coastal viewpoints.

00:20:33:06 - 00:20:55:09

Old Felix the Old Felixstowe viewpoint is a good example of the, uh, a place on the Suffolk coast where you can see the the operating, uh, offshore wind turbine lighting at, uh, Greta Garbo and galloper and, uh, and gun free sands. I believe it's similarities there in terms of the, the level of effect.

00:21:02:11 - 00:21:07:25

Thank you, Mr. Martin. That was helpful. Um, turning to Mr. Wood. Do you have anything you want to say on that?

00:21:08:01 - 00:21:22:25

Thank you, ma'am. I was just going to cancel. Um, I'll just refer you to my answer to question A. What we don't consider. There will be significant effects of either anticipated from Essex, Tendring or Babergh again due to the distances involved. Thank you.

00:21:27:21 - 00:21:30:25

Thank you, Mr. Bedford. And I think for myself. Yourself.

00:21:32:27 - 00:22:03:14

Thank you, Madam Michael Bedford, Suffolk County Council. Um, only to make the simple point or the short point that, um, whilst we do think it's important that adverse impacts on the AoNB are minimised, uh, we don't think that that would, uh, support, as it were, a position in favour of the 41 taller turbines as opposed to the 79 smaller turbines.

00:22:05:27 - 00:22:24:04

Because we do think that the 41 taller turbines still represents the worst case, even though purely in terms of lighting, obviously there would be less light because there would be less turbines. Other than that, I think my previous comments sort of cover our position on, uh, the difference between the two.

00:22:27:15 - 00:22:32:24

Thank you. Uh, Mr. Amster, do you have anything you wish to add on this one?

00:22:34:01 - 00:23:06:19

Thank you, ma'am. Uh, Simon. National landscape partnership. Um, I profess not to be an expert in this area, and we recognize the, uh, the needs of, uh, safety are paramount. But I would just add that, um, you know, we will see an increased lateral spread of the lighting. Um, you know, in this case, whether it's 41 or 79 or somewhere within the envelope. So we do see those, um, uh, more impacts on the national landscape.

00:23:06:21 - 00:23:07:07

Thank you.

00:23:09:06 - 00:23:10:06

Thank you very much.

00:23:23:11 - 00:23:36:15

Just before, um, Mrs. Norman perhaps moves on to a slightly different question. Can I just see clarification from the applicant in terms of the navigational lighting? Um,

00:23:38:04 - 00:23:47:09

well, the safety lighting should say is it, um, placed throughout the arrays or is it mainly perimeter based?

00:24:26:12 - 00:24:34:18

Julian Boswell for the applicant, the headline answer is that it tends to be peripheral, but there's a much more complicated answer.

00:24:47:23 - 00:24:56:19

Rather than taking up a lot of perhaps hearing time with a complicated answer. Is that something that the applicant might be able to address in a post hearing note?

00:25:37:06 - 00:25:46:11

Chambers of the applicant. It would be helpful. Could, could. Could it be clear in the action point what precisely the question is that we are answering?

00:25:48:17 - 00:26:03:14

But in terms of the complexity, is the issue that some of the lighting is required for navigational purposes, whereas some of the lighting is required for aviation purposes or is a duality of role?

00:26:09:21 - 00:26:45:22

Not for the applicant. Um, the examining authority is correct that there are differences in the rules for, uh, shipping and navigation, lighting and differences for aviation and differences in military and differences for operation. You know, if we need it if we want. If not, we but if a project has a helicopters in the operation and maintenance plan and there's differences, there's various different conditions here. Um, it's all covered by well-regulated guidelines and it has to be approved.

00:26:48:10 - 00:26:54:15

There have also been changes over time in, you know, the rules and the guidelines for this.

00:26:58:17 - 00:27:00:27

Uh, does that answer the examining authority's question?

00:27:02:29 - 00:27:35:06

I think it it assists, um, and it may well be that we can not seek a note, but just so that we clear, I presume ultimately, part of the complexity in trying to answer this question is that until the design is finalised, you can't determine perhaps where the perimeter is and or where the tallest turbines might end up. And quite how you then meet the needs of Trinity House in one respect.

00:27:35:10 - 00:27:39:15

But then, um, CAA, I presume in another respect.

00:27:41:22 - 00:27:44:15

And it's not for the applicant. That's a fair reflection.

00:27:47:18 - 00:27:52:19

And in terms of the ultimate regulation of all that does, is it the.

00:27:54:21 - 00:28:03:25

CAA comes into play, MMO comes into play and or M.T.A. How does that sort of things actually work out?

00:28:24:12 - 00:28:41:19

Uh, Daniel Bates for the applicant. Um, marine navigational lighting, primarily controlled by Trinity House. Um, as conditioned through the DML Ryder Ace navigation lighting plan. Um, but obviously the MTA be involved in that and would be subject to approval by the MMO.

00:28:55:28 - 00:28:58:13

And the aviation side of things.

00:29:34:18 - 00:29:46:03

Daniel wrote to the applicant. Uh, the DCO, uh, was a requirement that refers to the Air Navigation Order 2016 as being the controlling act, um, for determining aviation lighting.

00:30:08:14 - 00:30:25:00

I think, therefore, on the basis of the oral responses we've just had to the the question, um, we can avoid the need for the applicant to submit a note. I think the examining authority between us will understand the point. Um. Thank you.

00:30:29:05 - 00:30:59:05

Okay. Thank you. Um, then I'll move on to the next question, which is just, um, quite a short one. And I've noted the submitted night scapes and lighting information and the viewpoints at Dunwich Beach, Aldeburgh, Old Felixstowe and the Naze. Um, it just appeared that there was a sort of a lack of nightscape assessments from sort of Clacton Frinton area. I just wondered whether you felt that it was necessary, whether there was a need for some to be provided, um, to the applicant first, please.

00:31:02:19 - 00:31:26:22

Simon Martin for the applicant. Um, the nighttime viewpoints that were assessed in the SLV were agreed through the process. Um, which involved um Essex County Council. Um, The. The representative viewpoint was selected at the Ney's um in order to assess the nighttime visual effects from from Essex as a worst case. Um.

00:31:29:12 - 00:32:01:10

Appreciate. There are, um, coastal locations further south along the coastline that may also have effects at night. Those areas which we consider have less effects than the the representative viewpoint that was assessed at the knees, um, and are also, uh, subject to quite high levels of baseline lighting along the, on the coastline. So the the position of the Naze was selected partly because of it. It being a location that has relatively darker, darker skies.

00:32:02:09 - 00:32:13:16

Um, and maybe one for Essex as a just as well, just to confirm that, um, they were happy with the viewpoint selection there. And whether are there any further nighttime views are needed?

00:32:17:24 - 00:32:18:15

Thank you.

00:32:19:26 - 00:32:36:17

Yep. Thank you. Ma'am. Essex County council. The applicant is right in this respect. We haven't requested night time, um, drawings from Clacton, Clacton coast. Because I refer you to my previous answer that we don't absolutely see the absolute need for it. Thank.

00:32:38:24 - 00:32:42:06

You. Anything? Mr. Bedford, on this point.

00:32:43:07 - 00:32:46:02

Madam? No, Suffolk doesn't extend that far. Thank you madam. Okay.

00:32:46:04 - 00:32:50:02

Of course. Thank you, Mr. Amster. Anything for myself on this?

00:32:51:08 - 00:33:11:28

So it's national landscape partnership. Unfortunately, the national landscape team didn't have the capacity to fully engage in the expert topic group, uh, thinking on this matter. So we defer to the local authorities and Natural England. Thank you.

00:33:15:28 - 00:33:20:12

Thank you. That's all very helpful. Um, any further points on this question?

00:33:22:02 - 00:33:49:08

Nope. Okay. Um, so I'll move on. I've just got one question. Um, on the nighttime lighting for the proposed substation. Um, and I think probably I've had regard to what's in the documents already, and then it was touched on yesterday. So I don't know whether there's anything that further that can be sort of said in this regard, but I just wondered whether there's any indications of any types of the nighttime lighting for the substation. Um, over and above what we've already heard and seen. Thank.

00:33:55:27 - 00:33:58:12

You for that. No, madam, there's nothing we can add at this time.

00:34:00:10 - 00:34:02:10

So, are there any comments on the substation lighting?

00:34:02:12 - 00:34:37:25

Ma'am. Thank you. Uh, Mark, would you. This is county counsel. Um, here. We're on. See? Are we not? Yeah. Just let you know. Okay, so, um, the comment that I've got here is that, uh, ATC understands based on the submissions was made by the applicant and also the conversations that we had in the room yesterday. The construction lighting will be low level and directional and only be used in occasional circumstances. That's for the construction aspect and that will conform to back mitigation requirements.

00:34:40:16 - 00:35:00:21

As far as operational lighting is concerned. Again, that will be limited, controlled and confirm and conform with the latest design Principles document. Your reference to that being the offshore project design principles, which is app 233.

00:35:04:21 - 00:35:23:28

Um, and a and obviously we would like to reserve the right to comment further regarding the design principles, principles, documents and cumulative effects. And we'll ask that that is sent across to you and the applicants at the next deadline, please. But there's no as far as we're concerned, there's no absolute showstoppers in this particular case.

00:35:25:28 - 00:35:31:22

Thank you. Thank you very much. Thank you. Uh, Mr. Armstrong, anything on yourself on the substation?

00:35:32:29 - 00:36:16:10

Simonov. National Landscape partnership. Uh, haven't really got a lot to add from the discussions yesterday. I suppose our concern is during the construction phase and lighting, you know, leaking into the Denver national landscape, recognizing that that is, um, you know, I think it's 1.2km from the national landscape of the A and B border. But obviously light does travel considerable distances. So I suppose we'd be, uh, looking for consideration, particularly with regard to the new duty of how the lighting during construction is designed, but we don't see it as a showstopper.

00:36:16:12 - 00:36:21:21

I think we just would like to see some careful design of lighting. Thank you.

00:36:26:12 - 00:36:32:22

Thank you. Any further comments? Mr. Martin, anything you want to come back on or Mrs. McGeady?

00:36:39:03 - 00:36:42:21

Okay. Thank you very much. Okay. Um.

00:36:46:27 - 00:37:12:28

So I'll move on to, um, d now, which is, um, the need for additional viewpoint assessments. But before I go on to that, I have seen an email, um, from Faber and Mid Suffolk to say that actually there's been discussions, um, about some additional viewpoints. Um, and I wondered whether it might be helpful to have an update on that to begin with. That might deal with some of my questions then.

00:37:13:10 - 00:37:48:18

Jill Phillips, on behalf of the applicant. Yes, we have had discussions and we've agreed to an additional viewpoint. We'd like to stress the fact that the significant effects are very localized, extending out to 1.3km in respect of landscape character, 1.4km in respect to visual amenity. Dedham Vale AoNB. The closest boundary is at two kilometers. We have an existing viewpoint, viewpoint nine, which illustrates the very limited visual effect.

00:37:49:18 - 00:38:08:17

Um barbaric district Council would like a viewpoint, um, where there's a small patch of theoretical visibility closer to five kilometers. Um, I believe we're all agreed in the understanding that this will not be significant, but the purpose of it will be to demonstrate that point. Thank you.

00:38:11:04 - 00:38:15:06

Thank you. That's helpful. That was actually my first question. Mr. Rodger, do you want to.

00:38:16:05 - 00:38:30:11

Thank you, ma'am. Mark Wood as just going to cancel. The applicant has correctly, um, set out what the proposals are for that additional viewpoint, and I thank them for that. Thank you. We had a conversation yesterday and that's now in place. Thank you.

00:38:32:00 - 00:38:36:16

Thank you. Is there a sort of a time frame for producing that additional one?

00:38:38:27 - 00:39:01:15

Um, Jill Phillips, on behalf of the applicant, we're planning to meet with Catherine Bailey, Essex County Council, and also Braun at Babergh District Council, just to agree the exact location of that viewpoint. And then I can't set a particular date because it will be a bit weather dependent getting out in terms of getting the viewpoint, but it's something we hope to achieve by the end of the year.

00:39:12:19 - 00:39:17:11

Thank you. That's helpful. Um, are there any other comments on the view points?

00:39:21:21 - 00:39:22:06

No.

00:39:23:17 - 00:39:35:15

Um, I had one additional one. Um, where Baber Council suggested there should be an additional viewpoint from a public point near all this farm or this lane or clapper farm. Does that fall within this, or is there no need for that now?

00:39:35:26 - 00:39:46:21

Jill Phillips on behalf of the applicant. Those locations are exactly where our little patch of theoretical visibility is. So that would be the start of where we're looking for to locate our viewpoint. Thank you.

00:39:50:06 - 00:39:58:06

Thank you. That's helpful. Any other comments on that then stage. So I can leave that with you behind the scene. Thank you very.

00:39:58:08 - 00:39:58:23

Much.

00:40:01:21 - 00:40:07:18

Um, that's all I had then for point see if there's anything further from anyone else.

00:40:07:20 - 00:40:08:05

Nope.

00:40:09:12 - 00:40:56:10

Okay, so turning to E, the cumulative visual effects of the proposed onshore substations. Um, and having regard to the applicant's response to the first round of questions and the accuracy of figures 2.16 d and 2.16 E in AP 182. Um, do the figures in app 181 and app one eight to present the substations in a way that an observer would actually see when they're being viewed from viewpoint one in Ardley Road. Um, is it well used? Is it likely to be sort of viewed from there? And is viewpoint one a representative viewpoint for the users, and if so, is there a need to present what's in the two, um, images as one composite image? Because at the minute we're sort.

00:40:56:12 - 00:40:56:27

Of.

00:40:57:15 - 00:41:02:01

Like, um, attaching them, comparing them. Um, stop.

00:41:07:08 - 00:41:43:13

Joe Phillips on behalf of the applicant. Yes. Viewpoint one is an appropriate viewpoint on Ardley Road. There's not many visual receptors, so it seemed appropriate to attribute that to where we've got residential property, which would typically indicate a higher sensitivity. And in terms of the visualizations we follow and set guidance, that sort of sets out that format. So I, um, appreciate the confusion in terms of one of the frames didn't show anything, but it just ensures that there's consistency between the visualisations for every viewpoint.

00:41:43:17 - 00:41:44:05

Thank you.

00:41:46:29 - 00:41:51:19

Thank you. That's helpful. Any comments on that point? No.

00:41:53:23 - 00:42:32:26

But, madam, uh, Michael Bedford, Suffolk County Council, uh, the only point that we've raised in our local impact report on this particular aspect is ensuring that account is taken not only of the East Anglian connection node itself, which obviously provides, um, the dependent substation for this proposal, but also that has as part of the Norwich to Tilbury uh project, has pylons associated with it in order for it to then function as part of the National Grid's reinforcement.

00:42:33:09 - 00:42:42:15

Uh, and we would expect that, uh, the pylons to be included within any cumulative impact assessment.

00:42:53:22 - 00:42:58:10

Did you want to come back on that, or is that something you're going to pick up in your response to the, um, Lear?

00:42:59:18 - 00:43:09:01

Um, no, I'm happy to respond now. So just to be clear, we're responding to the question that set out at E, which goes on to talk about cumulative effects.

00:43:10:19 - 00:43:47:23

Um, so within our LVI app, hyphen 084, um, we set out a cumulative assessment, and that takes into account the cumulative effect of adding the five estuaries onshore substation to a cumulative context in which we assume North Falls onshore substation and the ECN substation are already constructed. So the findings of that assessment are similar to our assessment of five estuaries onshore substation alone, where we've got very localized and significant effects.

00:43:47:25 - 00:44:19:06

So it's a it's a similar outcome to the assessment. Um, in response to the question around, um, the knowledge to Tilbury overhead electricity transmission line At the time of writing of the LV, there wasn't sufficient information to include this to make sure there was a meaningful assessment, and within the Lvy. We make the point at that point that even if there was information available, it wouldn't change the assessment.

00:44:19:08 - 00:44:55:02

It would be unlikely to change the assessment. This is for a number of reasons, and the ECN is on the western side of Grange Road. The Norwich to Tilbury electricity transmission line exits or comes in anyway. It goes in a west direction, so it goes westwards and then it goes north west. So it's on the opposite side of the substation. Um, we've got a couple of viewpoints that show the ECN, and it has a very kind of limited influence on the cumulative assessment.

00:44:55:12 - 00:45:27:04

We would possibly have one transmission tower, and then they would be receding off in a westerly direction. So it may be we get visibility of a tower, a couple of towers. Um, but they will have a very limited additional effect in our cumulative assessment. There's also on that western side, there's quite a lot of woodland, um, around hunker down lane and beyond, um, woodland and quite kind of heavy shelter belts that will add to the screening effect.

00:45:27:06 - 00:45:43:27

So while there will be an additional effect, the focus of the cumulative assessment inevitably will very much centre on the interaction between North Falls and five estuaries onshore substations, because they're both large developments within close proximity. Thank you.

00:45:45:26 - 00:45:48:21

Thank you very much. Mr. Bedford, did you want to come back on anything?

00:45:50:03 - 00:46:19:15

Thank you madam, I think, um, Michael Bedford, Suffolk County Council, I think we will see what the applicant is now said, and look at that and see how, uh, that, um, impact on our concern. I think at the moment we think we would like to see that more formally assessed rather than simply A, as it were, X temporary, uh, series of comments. But we'll look at what the applicant says in their post hearing submissions and will comment accordingly. Thank you.

00:46:20:23 - 00:46:21:21

Thank you very much.

00:46:23:08 - 00:46:29:01

Um, are there any other comments than on the cumulative visual effects of the substations at this stage?

00:46:38:24 - 00:47:05:16

Nope. Okay. Um, so I'll move on to part F, which I think is the bit people have been looking forward to. It's and this is the, um, discharging the duty, uh, under the Levelling Up and Regeneration Act to further the purpose of conserving and enhancing the natural beauty of the area of outstanding. Area of outstanding natural beauty. I think if I perhaps start with the local authorities first on this, um, and then move on to the applicant.

00:47:06:11 - 00:47:18:20

Thank you. Ma'am. Mark, would you this is going to cancel, um, for item three for f. Um, we will defer to, um, Mr. Armstead in this particular case, please.

00:47:26:08 - 00:47:29:12

Mr. Armstead, did you want to come in now on this item then?

00:47:31:23 - 00:48:16:10

Simon Amster, uh, National Landscape Partnership. Um, you will have seen our, uh, response to the examining authority's questions. I think that's RFP 2094. Um, and I won't, uh, rehearse the, um, discussion put forward there. Um. Slightly repeating myself from an earlier point. We recognize, uh, Natural England's, uh, relevant reps are 081, pages 176177 that recognizes that the AUM be extends beyond its boundary into its set for setting.

00:48:17:14 - 00:48:21:12

Um, we also, um, consider that, um,

00:48:23:02 - 00:48:57:29

that, uh, Natural England in those relevant reps. 081 said that there will be significant impacts upon the Suffolk business Area of Outstanding Natural Beauty, recognizing that the applicant doesn't

concur with that view. Uh, but we do note that the pear uh, app 0779, paragraph 1013 4048 uh notes there's potential for cumulative impacts and para 1013.

00:48:58:03 - 00:49:47:24

I think that's 150. Talks about the lateral spread. So if we can see, uh impacts or um, we understand the potential for impacts upon the, uh, Suffolk's an area of outstanding natural beauty. We think that the new duty, um, placed on relevant authorities, um, to seek to further the purpose. Um, yeah. Needs to be met here. Um, and while the partnership and not wishing to, um, uh, stop the development because we recognize the importance of more sustainably generated electricity, we think there are residual impacts upon the zombie, um, that need to be addressed.

00:49:48:21 - 00:49:49:07

Thank you.

00:49:51:21 - 00:49:54:25

Thank you very much. That's helpful. Um.

00:50:00:20 - 00:50:02:09

Mr. Bedford, I turn to you.

00:50:03:07 - 00:50:34:18

Thank you. Madam. Madam Michael Bedford, Suffolk County Council, we have addressed the new statutory duty in our local impact report, but we've also addressed it specifically by volunteering and answer to your question. SLV 1.04. I should apologise for the fact that in our response to the written questions. Rep 2047 due to a typo.

00:50:34:23 - 00:51:12:11

That question is wrongly referenced as SLV 1.01, but I think it's hopefully clear enough from the content that we were addressing your question, and we've obviously set out in some detail. They're both the nature of the statutory duty and what we think it, uh, entails. Uh, and in our Lee are we have referred to the one example that we're aware of where post the duty coming into force on the 26th of December of last year.

00:51:13:05 - 00:52:18:11

There is one example of the Secretary of State having to make a decision preferable to the new duty in relation to an offshore wind farm. And there the Secretary State was satisfied that all possible steps had been taken to meet the duty. We don't consider that as matters stand. All possible steps have been taken by the applicant, uh, to, um, further, uh, the purposes we of course recognize that it's not an absolute duty, which is why is expressed as seek to uh, and we've recognized that, uh, but we do consider that, uh, it's not, uh, with respect, good enough, uh, for the applicant to simply say, in a sense, uh, it goes with the territory, that there will be adverse impacts from an offshore, um, wind farm on a national landscape.

00:52:18:26 - 00:53:15:23

Uh, it is incumbent on the applicant to do that which is practicable, both to minimize those impacts and therefore to conserve natural beauty or where it's not possible to minimize any further because of operational or other constraints. Uh, then what the duty we think requires is that the applicant moves to see what can be done to offset the residual harm by enhancing the natural beauty of the natural landscape, and that can be achieved by undertaking or contributing to undertaking initiatives within the national landscape that would serve to enhance its natural beauty.

00:53:17:02 - 00:53:17:27

So

00:53:19:21 - 00:53:43:19

to to use, I think, um, uh, the expression, uh, we're not putting, uh, or seeing the new duty as being a showstopper to the, uh, the making of a development consent order, but we are seeing it as very significantly, um, raising the bar in terms of what is acceptable

00:53:45:04 - 00:54:16:19

Because the previous, uh, legislative provision was simply to have regard to, uh, the, uh, requirements for, uh, conserving, enhancing the natural beauty of the protected landscape that we have now moved on to a new positive duty, which we consider. Uh, it places obligations both on the statutory undertaker, that's to say, the applicant who is subject to the duty.

00:54:16:21 - 00:55:20:18

And then on the decision maker to be satisfied that as much as practicable, has been done, uh, to further the purposes of the natural beauty of the national landscape and what we're looking for, uh, in terms of, um, the, uh, moving this forward is we're looking for a recognition from the applicant that it needs to do more than it has previously done, and that it needs to engage primarily with the partnership, but through obviously, the management plan for the national landscape to see what what practical measures can the applicant either take or contribute towards, which would achieve the objective of offsetting the residual harm, and so showing that they have indeed sought to further the purposes of conserving and enhancing natural beauty.

00:55:20:22 - 00:55:38:06

So that's how we see it. And I say we're really looking for some movement from the applicant side rather than, as it were, a disinclined disinclination to engage, uh, which we think at the moment seems to be the position. Thank you, madam.

00:55:38:27 - 00:55:48:19

Thank you, Mr. Bedford. Um, turning to the applicant, I appreciate you've not had the local impact reports for that long, but is there anything you wanted to come back on at this stage?

00:55:49:29 - 00:55:54:10

Paula Fabricant thank you madam. Unsurprisingly, we don't agree.

00:55:54:12 - 00:56:25:21

With with the key points here. We don't agree that there is sexual harm and we do not agree that the duty to seek to further means that we have to explore every possible practical measure to enhance when we don't agree there is any harm. We do note that the duty is expressed as applying in the exercise of a function, and the function here is the determination of the planning. Application is not a free floating duty to go out and enhance the national landscape. It has to be related to the context of this decision and our impacts and what we are doing.

00:56:26:15 - 00:56:58:02

Um, I won't rehearse we up and I think a fairly long answer in this and respond to your question and respond to your questions, which I won't rehearse except to see the Sheringham and Dudgeon decision, the DCR decision made in 2024, which considered this and found that they had met. The duty had been met in that case, because that applicant had taken reasonable precautions to avoid

compromising the purpose of the designation. We would submit that we have also done that and therefore met the standard the Secretary of State has set out in that decision.

00:56:58:04 - 00:57:08:00

There is no long case, you know, long history of this being considered. There is no guidance. That is what we have and we believe we have met that. Thank you.

00:57:17:26 - 00:57:22:18

Thank you, miss Melody. Um, anything further anyone would like to come back on that?

00:57:25:07 - 00:57:26:01

Mr.. Homesites.

00:57:26:28 - 00:57:46:11

Sam Adams, national landscape partnership. Um, I was interested to hear the word compromise use there, because I consider that the strengthened duty talks about to seek to further the purpose. And I don't think the word compromise is is used there. Thank you.

00:57:55:27 - 00:57:59:16

Thank you, Miss Dempster's. Anything further from the applicant on the matter?

00:58:01:21 - 00:58:08:21

Um, I'm good for that. That that was a quote from the decision later. I didn't see that the duty contained the word compromise.

00:58:18:22 - 00:58:24:21

Thank you. Um, is there anything else anyone wishes to raise, then in respect of of point F?

00:58:28:22 - 00:58:29:22

Yeah. Okay.

00:58:31:21 - 00:59:01:15

Um, if we move on to G, then I just wanted to, um, touch on mitigation for the onshore substation. Um. and so my first question is for the applicant. And in the ES volume six, part three, chapter one, which is the onshore project description. Um, is it possible at this stage to provide any further details of the security fencing that would be around the substation, sort of the types that you'd expect, or is that something that's going to come later as part of the design process?

00:59:22:05 - 00:59:42:10

Uh, for the applicant. There are, um, rules on substation security fencing set out by National Grid, which we would have to comply with. We can, um, investigate those rules and give you some further detail on them, if that would be helpful. But in terms of the detail of our design, other than having to comply with that, nor that would be for later in the process.

00:59:45:12 - 00:59:49:28

Yes, that would be helpful actually, if you could provide just a general indication. Thank you.

01:00:02:13 - 01:00:08:18

Um, does anyone else have any, um, points they wish to make on the possible fencing scheme?

01:00:11:06 - 01:00:40:00

Um, if not, I'll ask my second question. Um, and this was just a point of clarification for the applicant. Um, so in the onshore project description, it refers to enabling works, um, for drainage foundations and substation platforms. And I just wondered whether this is likely to be at existing land levels or whether these works that would be required, including the platform, would, would elevate the site somewhat, which might have implications for the highest point and the highest piece of equipment on the site.

01:00:40:15 - 01:01:10:15

And has been lodged with the applicant. So the design of the substation platform is likely to be greater than the existing ground levels. It has to account for the future drainage, flooding, you know, return periods, etc.. Um, the this is accounted for in the maximum, the maximum elevation that is included in the draft DCO.

01:01:21:28 - 01:01:23:28

Thank you for clarifying. That's helpful. Thank you.

01:01:25:28 - 01:01:28:21

Um, anything else on. Oh yes. Philip's thinking.

01:01:28:23 - 01:01:41:24

Jill Phillips on behalf of the applicant, just to add to that, that the visualisations that have, um, been used to illustrate the onshore substation and correlate with the finished floor levels that Alyssa was mentioning there.

01:01:46:03 - 01:01:48:01

Thank you. That's helpful. Thank you.

01:01:49:20 - 01:01:50:05

Mhm.

01:01:51:18 - 01:02:29:16

Um, so I'll move on to um. Just got a couple of questions that really relate to the Essex County Council and Tendring District Council. Um, local impact report. Um, I appreciate that this is a recent document for you. So if it's not something you can answer at this stage, that's absolutely fine. But, um, concerns have been raised that it would take up to 15 years for mitigation planning to take effect. And there's some disagreement that, that the mitigation planning would reduce the negative effects on the immediate landscape and its setting to non-significant, and suggests that beneficial effects of planting after 5 to 10 years is overestimated.

01:02:29:18 - 01:02:41:27

And that's paragraphs 9.1.4 and 9.1.7 in the Lear. Um, Mr. Woodrow, I didn't know whether you wanted to, um, say anything on that before I hand over to the applicant for their views. Thank you.

01:02:41:29 - 01:02:54:19

Ma'am. Um. No, ma'am. That correlates quite well with the answers. I'm going to give you to this question in any case, because this is about, um, the impact that that landscaping will have on the development, the growth rates, um.

01:02:57:03 - 01:03:03:19

Shown between 5 and 15 years. So know what I was going to say? You've, um, adequately said for me, so thank you.

01:03:08:03 - 01:03:08:23

Miss Phillips.

01:03:09:16 - 01:03:49:08

Thank you to Phillips on behalf of the applicant within the Elvia, we set out, the, um, significant effects will be mitigated within the first 15 years, which we're confident about. Um, at points, we talk about significant effects being mitigated at 5 to 10 years, which we're also confident about. And when we look at the growth rates, which are standard growth rates that we would apply for this sort of east coast of England. Um, after five years, we would have 2.8 to 3.2 metres of growth and after ten years, potentially 4.8 to 5.8.

01:03:49:10 - 01:04:31:11

The landscape mitigation planting has been designed, um, using the idea that if the mitigation planting is close to the visual receptors, such as close to Ardley Road or Grange Road, and then that proximity means if you consider the height of a car or the height of a person walking along there, that the, um, height of the planting within those time periods would give us that effective screen. The other factor to consider is the question around, oh, if it's predominantly deciduous, will that, um, mean you can see through it within winter months? Um, on the western side of Grange Road, there are similar shelter belts that are also 20m.

01:04:31:13 - 01:04:44:21

If you visit those, you can see how dense they are. And also we've got control over this in terms of the way we design those shelter belts and what goes in them, so that we've got understory planting as well as canopy planting. Thank you.

01:04:46:20 - 01:04:47:07

Thank you.

01:05:01:09 - 01:05:03:11

Mr. wood. Did you want to come back on any of that?

01:05:03:23 - 01:05:41:17

Thank you ma'am. You can cancel. That being said, and I hear and understand what the, um, the applicant representative is saying. Um, we do remain skeptical that those rates can be achieved. Um, Essex is the driest county in the UK, and, um, tree vegetation growth is, um, somewhat limited by that. Um, and therefore we would ask that, um, some scale cross sections through these shelter belts be provided with the reference this morning to visibility from pedestrians and cars.

01:05:41:19 - 01:05:52:25

And that should be quite, quite as simple thing to do just to demonstrate, um, that the assumptions that invade this morning are achieved. Please. Thank you.

01:05:55:16 - 01:05:56:07

Thank you.

01:06:07:10 - 01:06:30:17

Um, just coming back to you on that point. Um, that's something we will, um, discuss and there's potential. And the other point is there was discussion previously around whips and more mature trees. And we would say that, um, within those dry conditions, whips are more appropriate because they establish, um, better root systems and um, overall can withstand drought better. Thank you.

01:06:36:04 - 01:06:38:01

Thank you, Mr. Wood. Is that helpful?

01:06:39:00 - 01:07:12:00

Thank you, ma'am. Uh, Mark woods, county counsel. Um, we can maybe have a more of a detailed discussion on this tomorrow when we talk about the DCO. Um, but there does seem to be some difference in in the applicant's documents in terms of what sort of aftercare they're going to put into the landscaping. And whereas some areas in the thinking the DCO refers to a five year aftercare period, but we also understand from discussions with the applicant that they were committed to aftercare for the for the landscaping, for the life of the substation.

01:07:13:10 - 01:07:13:25

Thank you.

01:07:15:15 - 01:07:16:06

Thank you.

01:07:18:27 - 01:07:38:16

Uh, Paula McKinney for the applicant. That's to deal with two different situations. The five year aftercare is for things like replacement hedgerow for planting along the route. The mitigation planting around the onshore substation would be maintained for the life of the development, as is set out in the outlined Landscape and Ecological Management plan. So there are two different situations.

01:07:46:27 - 01:07:52:12

Thank you, miss McGeady. Okay. Anything else? Um, on that point then.

01:07:55:28 - 01:08:14:25

Um, so my other question, um, again relating to the Lear from Essex County Council. Um, just um, touches on the, um, concerns raised in identifying landscape value in relation to seven a Bromley his landscape character area, um,

01:08:16:17 - 01:08:34:04

based on the lack of landscape designations, as these should not be the sole method to make this assessment. Mr. wood, did you want to expand on that? And, um, does the information in the preceding paragraphs demonstrate that the assessment was not limited to the lack of landscape designations alone, in your view?

01:08:34:21 - 01:08:47:11

Um, thank you. Mark. As county counsel, I will have to defer that question to my landscape specialist. So, um, we can either do that at your next round of questions, for example, and we'll we'll action that then.

01:08:47:13 - 01:08:55:04

Thank you. I can I can include that in the written questions as well. Um, Mr. Phillips, did you want to make any comment on that or do you want to do it in writing?

01:08:55:21 - 01:09:25:24

I'll just make a quick comment. Um, it's quite standard approach when we're attributing, um, landscape value that will use designations as a guide, because we've got national level designations and county level designations, and that gives us quite an objective guide and a consistency across the country as to what, um, value to attribute. But even taking the designations out of that um, approach, um, we would still arrive at a medium value for that landscape.

01:09:26:02 - 01:09:43:28

Um, because it's a modified agricultural landscape. Um, we already have pylon lines running through it, and that, um, attributes of a medium value would be consistent with the wider assessment, but also other assessments we do around the country. Thank you.

01:09:48:05 - 01:09:50:16

Thank you very much. Um,

01:09:52:09 - 01:09:58:09

so my next question, um, moving on to.

01:10:03:22 - 01:10:33:27

Uh, height. Um, I just had a point of clarification for the applicant. Um, and again, it was picked up, I think, in the one of the local impact reports. Um, but there appears to be a missing plan in app 180, which is the landscape mitigation plan, and it's numbered 2.1. 13. But that's actually the same number as the cumulative plan. And the cumulative plan is shown. But there isn't a landscape mitigation plan. And I didn't know whether that featured in another document perhaps.

01:10:33:29 - 01:10:38:18

Is it similar to the one in the, um Olympe perhaps I mean.

01:10:40:24 - 01:10:48:05

To Philips, on behalf of the applicant, apologies for the error. Um, it's essentially the same plan as the Olympe. Thank you.

01:10:54:15 - 01:10:55:21

Thank you for clarifying.

01:10:59:16 - 01:11:33:17

Um, and then I just had one further question. Um, so going back to, um, the Essex County Council leer, um, there's been some disagreement with the magnitude of change in paragraph two point 12.15 of the Landscape and visual impact assessment. Um, basically, because of the magnitude of change, of change, going from an open agricultural landscape to one containing hedgerows and a tree belt. Mr.. Um, and I just wondered how you'd arrived at a sort of a high magnitude of change in that regard, whereas the applicants is negligible.

01:11:34:14 - 01:11:34:29

Thank you.

01:11:36:03 - 01:11:44:22

Thank you ma'am. This is county council again. Unfortunately, I'll have to ask you to make that comment to me and I'll refer that to my specialist. Thank you.

01:11:44:24 - 01:11:48:09

But of course I do. Thank you. It's Philip's. Did you want to comment on.

01:11:49:23 - 01:12:22:24

Dr. Phillips on behalf of the applicant? So, um, what's being described here is we have a viewpoint. We have a view of the onshore substation, and that's a significant effect. Um, over time, our mitigation planting grows because. So ultimately, that mitigates the significant effect and makes it not significant. So the point that Essex County Council are making is that that should still be a moderate significant effect, because we now are seeing trees, and that's different from our baseline, where we had an open view of farmland.

01:12:23:06 - 01:13:06:03

And what I would say is, when we're assessing magnitude of change, we're thinking we're focusing really on the onshore substation. If we start to overcomplicate it, then we probably would end up with a significant effect. I'd argue that it was a positive, significant, significant effect or beneficial. But looking at this in the context where tree planting is a common feature along roadsides, we have that round Grange Road and we still have an open aspect to the south that even though that particular view, looking in that northerly direction has changed, the fuller 360 degree view is still representative of the baseline rural landscape.

01:13:06:05 - 01:13:10:28

So I think in the round we would stick with our assessment. And yeah, thank you.

01:13:12:24 - 01:13:33:24

Thank you. That's helpful. And I'll um direct that to the councils in writing as well. Um, in terms of my questions, that's all I had then. So was there anything further that anyone wanted to raise at this stage? Um, under the landscape vision and seascape, fog around the woods yet anything further from you?

01:13:35:03 - 01:13:37:08

Um, my budget, Essex County Council. No, thank you.

01:13:38:08 - 01:13:39:07

Mr. Bedford.

01:13:41:04 - 01:14:13:09

Thank you, Madam Michael Bedford, um, for Suffolk County Council. The only point, which is no doubt a point that the applicant will be covering in their post hearing submissions, uh, is the suggestion that there are no residual impact on the national landscape from the proposal? It's important to distinguish between impacts for the purposes of environmental impact assessment and likely significant effects.

01:14:15:26 - 01:14:24:06

And impacts for the purposes of affecting the national landscape for the purposes of discharging the new statutory duty.

01:14:26:22 - 01:14:43:25

And we did not understand the applicant's material to be suggesting that there are no residual impacts, rather that the applicant has graded all residual impacts as being below the level of likely significant effect.

01:14:45:15 - 01:15:08:07

But that's obviously a different issue. But it may be that the differences between us are in the interpretation of the nature of the new statutory duty, but we do not see it as limited to only considering likely significant effects in EIA terms.

01:15:11:02 - 01:15:32:23

And I say we will see what the applicant says in their post hearing submissions on that particular point, but we may need to be making some further submissions to you in due course, because that may be where there is an area of difference in interpretation of the statutory duty. Neither of us yet being assisted by the Secretary of State, having any issued any guidance in relation to that matter.

01:15:34:27 - 01:15:43:21

Thank you, Mr. Bedford. I'll just turn to Mr. Answers and anyone else and then I'll return to the applicant. Mr. Amster. Do you have anything further to add for this session?

01:15:44:24 - 01:16:21:26

Simon Amstell, National Landscape Partnership. I concur again very much was what Mr. Bedford was saying there that, um, you know, the applicant has identified some impacts, you know, whether they are significant or not. They've made that assessment too. And the last thing I would say here is that the our opinion of the, um, strengthened duty is that it is an active duty rather than a passive one. Um, so I think, um, yeah, I would like to see that active duty.

01:16:22:18 - 01:16:27:14

Um, yeah. Shown how that's been, um, uh, been implemented. Thank you.

01:16:28:18 - 01:16:32:24

Thank you, Miss Darmstadt. Um, anything further from the applicant on anything?

01:16:37:20 - 01:16:39:21

Uh, no. Thank you, madam. Nothing to add.

01:16:41:02 - 01:16:46:26

Thank you very much. Um, are there any other points from anyone else in the room or online on this topic?

01:16:49:06 - 01:17:08:17

No, I think that draws it to a close. Then, um, just bear with me. Lunch or two? Yep. Um, so this is probably a good time to take a lunch break if everyone's happy with that. And, um, if an hour is okay with everyone will resume at 2:00. So the hearings are adjourned. Thank you very much for your input. Thank you.